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EXECUTIVE COMMITTEE OF
THE HIGH COMMISSIONER'S PROGRAMME

Forty-fourth session

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EXECUTIVE COMMITTEE OF
THE HIGH COMMISSIONER'S PROGRAMME

Forty-fourth session

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EXECUTIVE COMMITTEE OF THE
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Forty-fourth session

REPORT OF THE SUB-COMMITTEE OF THE WHOLE ON INTERNATIONAL PROTECTION

I. INTRODUCTION

1. The Sub-Committee of the Whole on International Protection (Sub-Committee) met on 30 September 1993 under the chairmanship of His Excellency Ambassador Juan Archibaldo Lanus (Argentina). The following agenda (EC/SCP/77) was adopted:

(i) Report on the inter-sessional meeting of the Sub-Committee of the Whole on International Protection;

(ii) Note on International Protection;

(iii) UNHCR Guidelines on voluntary repatriation;

(iv) Refugee Children;

(v) UNHCR's activities for refugee law promotion, dissemination and training;

(vi) Committee for Programme and Coordination (CPC) and the Evaluation of UNHCR;

(vii) Any other business; and

(viii) Adoption of the draft report of the Sub-Committee of the Whole on International Protection to the Executive Committee.

GE.93-02683

At the suggestion of the Chairman, the Sub-Committee agreed to the reversal of the order of the first and second items. This report reflects the actual order of discussion.

2. In her opening statement, the High Commissioner underscored the important role played by the Sub-Committee since its inception in identifying and analyzing major problems concerning refugee protection and in providing useful guidance to UNHCR and States on protection and solutions for refugees. UNHCR's success in performing its central function of providing protection to refugees and seeking solutions to refugee problems depends on the strong consensus of the international community to ensure that persons forced to flee their homelands to escape persecution or armed conflict are afforded refuge and protection until a solution can be found. In that respect, she stressed that as the Office, supported by the Executive Committee and the United Nations General Assembly, explores new approaches, ensuring international protection to those who need it remains the foundation of UNHCR's work. Thus, the critical challenge for UNHCR, as much as for the States which cooperate with UNHCR in providing international protection, was to maintain and reinforce the human solidarity which is at the source of humanitarian consensus on behalf of refugees. She expressed the hope that the Executive Committee would reaffirm the legal principles and humanitarian norms that are the mainstays of asylum and international protection.

3. The High Commissioner remarked that the Note on International Protection (A/AC.96/815) presented to the forty-fourth session of the Executive Committee examines certain key protection issues already identified last year, making clear the essential linkage between asylum, prevention and solutions. With regard to prevention and solutions, the High Commissioner stated that international protection of refugees can best be achieved as part of a comprehensive international agenda, including the right to remain in peace and security in one's home and the right to return in safety and dignity. As discussed in the Note, solutions, particularly in the area of prevention, far exceed the capacity of any single humanitarian agency; hence, UNHCR's role must be primarily catalytic and collaborative. Finally, the High Commissioner expressed the hope that the Sub-Committee would adopt conclusions on the important issues of personal security of refugees and on the protection problems relating to refugee women and girls against sexual violence, and enlisted the support of States, both political and financial, towards the implementation of UNHCR's policy statement on refugee children, in order to ensure that refugee children receive the assistance and protection they deserve.

II. NOTE ON INTERNATIONAL PROTECTION

4. In his introduction of this agenda item, the Director of International Protection recalled the deliberations of the Sub-Committee a year ago on the content of a broad protection strategy leading to the adoption by the Executive Committee of Conclusions encouraging UNHCR, inter alia, to explore new options or undertake new protection activities in the areas of asylum, prevention and solutions, consistent with basic protection principles. A number of developments had combined with existing refugee situations to make 1993 one of the most demanding years in the history of UNHCR. He referred to the description in the Note of the challenges to the international protection

of refugees confronted during the year, including threats to the observance of basic protection principles. Asylum, he stressed, was vital to international protection: unless a refugee is granted asylum, his or her survival is in jeopardy. He called for a strong and unequivocal reaffirmation of the need to uphold and strengthen the institution of asylum, in particular through the scrupulous observance by all States of the principle of non-refoulement. The institution of asylum needs to be buttressed by international solidarity and burden-sharing, including a commitment to provide international protection to persons requiring it, combined with clear policies for immigration and development assistance. On the issue of continuing violations of the personal security of refugees, the Director expressed the hope that discussions on this issue at the inter-sessional meeting of the Sub-Committee held in May would crystallize in Conclusions for adoption by the Executive Committee.

5. The Director contrasted the challenges confronting the international community with the considerable achievements of recent years: notably, the fact that countries of asylum, the large majority of which have limited resources, continue to accord protection and assistance to refugee populations, which presently total over 18 million persons worldwide. He also noted the recent accessions or successions by ten countries to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. In the same vein, it was to be noted that 1994 would mark the twenty-fifth anniversary of the signature of the 1969 OAU Convention governing the specific aspects of Refugee Problems in Africa as well as the tenth anniversary of the adoption of the 1984 Cartagena Declaration by Latin American countries.

6. In the area of prevention and solutions, he noted that UNHCR's activities in countries of origin have demonstrated the importance of a comprehensive, multifaceted and integrated approach. Awareness of the close interaction between international human rights, humanitarian and refugee law has led the Office to increase its focus on human rights and humanitarian issues and to strengthen its cooperation with other concerned agencies. The increased recognition of the link between refugee situations, mass exodus and violations of human rights was demonstrated most recently in the Declaration adopted by the World Conference on Human Rights in Vienna. He referred to the special difficulties faced by the High Commissioner in discharging her protection and assistance functions in situations of conflict. With particular respect to UNHCR's involvement in protection and assistance activities on behalf of internally displaced persons, he drew attention to the baseline criteria developed by the Office over the past year. He emphasized that these criteria were drawn up for the purpose of internal decision-making for operational engagement only and within the terms given to the Office by the relevant General Assembly resolutions. He concluded by expressing the hope that the Note on International Protection would assist the Sub-Committee in having a frank, open and constructive debate on the issues presented.

7. In the ensuing discussion, the Note on International Protection was widely praised for its comprehensive and thoughtful character. Many delegations were appreciative of the topical nature of some subjects and the balanced manner in which they had been addressed. At a time when challenges confronting UNHCR are greater than ever, most delegations renewed their commitment to the principles of asylum and non-refoulement. Some delegations, while echoing this general

appreciation of the thrust of the Note, stated that they did not necessarily share all the observations on legal principles made in the Note.

8. There was broad agreement and support amongst delegations for the institution of asylum as a key to the protection of refugees; the integrity of the institution of asylum, unless protected against abuse, would be seriously threatened. A number of delegations underlined the strain placed on asylum by population movements of a migratory nature, including the latter's impact on national mechanisms for processing asylum claims. Many delegations expressed their appreciation for the recognition in the Note of the serious problems confronting States in reconciling their commitment to the protection of refugees with their efforts to curb irregular migration. Amongst the solutions contemplated to protect the institution of asylum from the possibilities of abuse, one delegation recommended the use of a simplified procedure for applicants originating from so-called "safe countries". Another delegation suggested that the integrity of the refugee system could only be protected by the prompt removal of unsuccessful applicants.

9. One delegation, while expressing its full support for the institution of asylum, underlined the fact that the credibility of that institution lay in maintaining a clear distinction between migrants and refugees and in tightening control of the migration system. In a related observation, another delegation advocated the development of measures in the framework of harmonization of asylum procedures. Another delegation expressed support for an international agreement specifically dealing with minimum standards to be observed in refugee determination procedures. One delegation expressed serious reservations about return of asylum-seekers to a third country unless such moves were subject to assurances that effective protection and durable solution would be granted, while another delegation expressed his Government's reservations concerning UNHCR's insistence that prior agreement of the third country be obtained before such return was effected. The problem of multiple asylum applications was raised by one delegation which also expressed its support for consultations between countries and suggested that the concept of safe third country could be taken up in the inter-sessional meetings of the Sub-Committee.

10. A number of delegations noted the value of applying the concept of temporary protection in the specific context of former Yugoslavia and some underlined its suitability for use in other mass exodus situations. It was felt that temporary protection represents a practical instrument for the protection of refugees which has the advantage of providing adequate protection while not overloading the regular asylum procedure. One delegation called for a harmonized system of temporary protection at the international level and queried the duration of temporariness. However, another delegation felt that it would be counter-productive to attempt to codify temporary protection arrangements since, by definition, each particular group would have different protection requirements. Flexible approaches to protection problems, it was said, were needed and burden-sharing and financial support were cited as factors that could contribute towards the solution of the asylum problem.

11. Welcoming the views on burden sharing expressed by other speakers, one delegation expressed the opinion that the international community had a moral and humanitarian responsibility to share the burden imposed on countries of

first asylum through resettlement opportunities as well as material and financial assistance. Responding to the Note's appeal in this respect, one delegation offered to work with UNHCR to give its resettlement programme a sharper protection focus and went on to suggest that the role of resettlement in the 1990's would be a suitable matter for discussion in an inter-sessional meeting. Another delegation referred to the financial and administrative arrangements entered into between its Government and that of a neighbouring country to avert secondary migratory flows and to prevent an unduly heavy burden falling on the first country of asylum. The need for increased efforts to promote burden sharing and the spirit of solidarity was also emphasized by one delegation, which advocated a greater role to be played by non-governmental organizations (NGOs) and religious institutions in dispelling attitudes and fears associated with xenophobia and in promoting an atmosphere of tolerance favourable towards refugees.

12. There was a consensus that the principle of non-refoulement remains the cornerstone of the system of international protection. Highlighting the complexity, as regards instances where the principle of non-refoulement may be put at risk, one delegation commented on the various situations examined in the Note and concluded that the Note may be understood to be conveying a message of caution to be borne in mind when resorting to measures for controlling irregular migration. One delegation, referring to paragraph 13 of the Note, expressed the view that the principle of non-refoulement did not bind a State outside its own territory but was understood to apply to situations where a refugee is at the frontier of a receiving country. In such a situation, it was added, it has been the practice of States to apply the principle of non-refoulement.

13. One delegation, while renewing its commitment to the principle of non-refoulement, voiced its concern with respect to the Note's failure to take account of the practical problems faced by Governments when dealing with situations involving the concept of "protection elsewhere", and queried whether it was right to hold a sending State indirectly responsible for refoulement effected by a third country. Another delegation expressed agreement with the views reflected in the Note of International Protection with regard to the issue of variable approaches to asylum and went on to ask whether the concept of safe third country was compatible with fundamental principles of refugee law or was employed for reasons of convenience. Another delegation expressed serious concern at the frequent violation of the principle of non-refoulement and, questioning whether there was a common understanding of the concept, called for a uniform interpretation of the norm in the universal context. One delegation specifically referred to the International Meeting of Experts for the Promotion of Asylum held in Montevideo in May 1993, which endorsed the basic principles of asylum and non-refoulement, as enshrined in the 1984 Cartagena Declaration.

14. On the issue of ensuring respect for the right to security of person for all refugees, one delegation observed that States have the responsibility to ensure respect for the basic human rights of everyone, including refugees, in their territories. Another stated that, given the critically vulnerable circumstances faced by most children in developing countries, it had to be recognized that refugee children were in an even more vulnerable situation. Several delegations expressed support for the adoption of measures necessary

for the protection of refugees against violations of their personal security as outlined in the draft conclusions on personal security and on sexual violence against refugee women and girls. One delegation welcomed the elaboration of the High Commissioner's Policy on Refugee Children and (EC/SCP/82) the revision of the Guidelines on Refugee Children and pointed to the necessity of focusing attention on unaccompanied minors and their need for protection and care. Another delegation recommended that the First Regional Forum on "A Gender Approach to Work with Refuge, Returnee and Displaced Women" (FOREFEM) initiative (undertaken under the auspices of the International Conference on Central American Refugees (CIREFCA) process), be used in other regions as a model of practical ways to meet the particular assistance and protection needs of refugee women and children.

15. With respect to prevention and solutions, several delegations commended the High Commissioner for the new and flexible approaches she had been pursuing with regard to her responsibilities, while recognizing that UNHCR's orientation in this area was still evolving. One delegation sounded a cautionary note, echoed by other delegations, to the effect that while the Office had developed an ambitious programme of activity, affirmed by an Executive Committee Conclusion and a General Assembly resolution, it would, nonetheless, be necessary for the Office to set priorities with respect to the activities to be undertaken.

16. It was generally accepted that UNHCR has a legitimate role to play in the development of comprehensive and integrated approaches linking humanitarian action and protection of human rights. One delegation observed that States and the international community as a whole have a responsibility to find ways of dealing effectively with the root causes of coerced displacement and to remedy situations in countries of origin that prevent those who have already fled from returning home. Reference was made in this respect to the adoption by the Organization of African Unity (OAU) summit meeting in Cairo in June 1993 of a declaration regarding the creation of a mechanism for the prevention, mediation and resolution of conflicts in the African region.

17. One delegation referred to the section of the Note dealing with "promoting respect for human rights" and remarked that this sole reference to human rights, without adequate presentation of other root causes of refugee movements, did not represent the current reality since the causes of refugee flows also comprise, inter alia, poverty, underdevelopment, foreign aggression and occupation, internal armed conflict and natural disasters.

18. Concerning UNHCR's involvement in countries of origin with internally displaced persons, most delegations expressed support for the baseline criteria developed by the Office. The distinction drawn between the two types of situations in which the Office might be involved and the case-by-case approach advocated by these criteria were felt to be valid and appropriate. At the same time, a number of delegations warned of the risks of UNHCR overloading its capacity and pointed to the necessity for the Office to maintain a sense of priority in deciding upon its involvement. One delegation sought further clarification as to the consistency of the baseline criteria mentioned in paragraph 46 of the Note with paragraph (q) of the General Conclusion on Protection adopted by the forty-third session of the Executive Committee (A/AC.96/804, para. 21 (q)).

19. While noting the absence of a special body charged with responsibility for the care and protection of internally displaced persons, several delegations stated the view that resort to UNHCR's expertise to fill the vacuum should always be subject to the prerequisites of a request from the United Nations Secretary-General or other competent United Nations organs and the consent of the State concerned. Furthermore, UNHCR's activities in countries of origin, particularly on behalf of displaced persons, should be undertaken in close cooperation and coordination with international human rights bodies and humanitarian agencies, including the International Committee of the Red Cross (ICRC). On the specific issue of inter-agency cooperation, one delegation expressed appreciation for efforts pursued by UNHCR over the past year. One delegation urged that the Executive Committee take specific action on the question of internally displaced persons.

20. Another delegation noted that the non-political and humanitarian mandate of UNHCR has a particular significance in guaranteeing the smooth implementation of its humanitarian activities, and expressed the hope that the Office would continue to observe those principles along with the principles of respect for national sovereignty and non-interference in internal affairs and act in conformity with the United Nations Charter.

21. It was proposed by one delegation that the Sub-Committee's inter-sessional meeting could be appropriately used as a forum to explore the possibility of working out a comprehensive scheme in regard to refugees and displaced persons in the operational context of one particular region, namely, the Horn of Africa. Such an exercise would involve effective cooperation amongst all concerned parties -- countries of origin, receiving countries inside and outside the region, international organizations, NGOs and the refugees themselves -- and draw on lessons learned from other experiences such as the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA).

22. The initiative undertaken by UNHCR in developing the Guidelines on the Protection Aspects of Voluntary Repatriation (EC/SCP/80) was noted with interest by some delegations. One delegation commended UNHCR for giving careful and thoughtful consideration in the Guidelines to the fundamental question of how UNHCR, in collaboration with others, should more effectively engage in the promotion of conditions conducive to the voluntary and safe repatriation of refugees. The delegation emphasized, in this regard, the pressing need for enhancing the absorptive capacity of the countries to which refugees are returning. Another delegation made reference to the appropriateness of the consultative process that UNHCR has followed in the development of the Guidelines, particularly the consultation with UNHCR field staff. The same delegation expressed his satisfaction with UNHCR's treatment of voluntary repatriation in a comprehensive and detailed manner covering all major issues.

23. The Director of International Protection, in responding to the debate, expressed his gratitude for the interest shown by delegations in the content of the Note and, particularly, for the expression of support for the central message it contained: that the new activities should not undermine the institution of asylum. He reiterated the importance of dialogue between States and UNHCR. Recalling one delegation's comment which, in his view, accurately portrayed the Note as a mixed landscape of opportunities and dilemmas, he cited, as one such message of opportunity, the Note's reference to the continuum of

protection that exists through activities in the fields of asylum, prevention and solutions. In this regard, the proposal by one delegate to examine, in an inter-sessional meeting, a comprehensive strategy for the Horn of Africa was welcome. He also took note of the thrust of the observations made by delegations regarding UNHCR's involvement on behalf of internally displaced persons. In reply to one delegation's question, he stated that the internal criteria developed by the Office are consistent with the Conclusion adopted by the forty-third session of the Executive Committee and that the Office remained at its disposal to provide any further explanation. He also reassured the Sub-Committee that involvement by the Office in new activities would be considered with the requisite caution.

24. The dilemmas, he noted, concern mainly asylum and the difficulty of reconciling control of migratory irregular movements, in particular, abuse of asylum procedures, with the necessary respect for the fundamental principle of non-refoulement and basic procedural standards. The main issue involved the application of the concept of country of first asylum. He assured delegations that their interest in holding further consultations with the Office on these issues would be given due attention. He went on to observe that there appeared to be broad consensus as to the need for appropriate safeguards to ensure that persons in need of protection are not exposed to danger. In the framework of refugee status determination procedures, the Director drew the attention of the Sub-Committee to the document it had received entitled "Informed Decision-making: the Role of Information" (EC/1993/SCP/CRP.6).

25. On the issue of variable approaches, he stated his appreciation for the delegations' support for the consultations on temporary protection and their wish to continue this process. With regard to the principles of solidarity and burden-sharing, he welcomed the proposal of one delegation to examine the issue of resettlement in the inter-sessional context. He further appreciated the suggestions for strengthening cooperation with NGOs, Churches and the media in the public information sector. On the question of root causes of refugee movements, he accepted that socio-economic factors unquestionably have an impact on population movements. As to the vital issue of the protection of refugee children, he took note with interest of the proposal to create a special mechanism to examine specific questions in that regard. In concluding, he recalled earlier references to the commemoration in 1994 of the anniversaries of two regional refugee instruments, the 1969 OAU Convention governing the specific aspects of refugee problems of Africa and the 1984 Cartagena Declaration, respectively, and confirmed UNHCR's commitment to participating in events that may be organized to mark those anniversaries.

III. REPORT OF THE INTER-SESSIONAL MEETING OF THE SUB-COMMITTEE OF THE WHOLE ON INTERNATIONAL PROTECTION

26. The Sub-Committee adopted the reports of its meeting on 17 and 18 May 1993 (EC/1993/SCP/CRP.5) and of its joint meeting with the Sub-Committee on Administrative and Financial Matters on 18 May 1993 (EC/1993/SC.2/CRP.17) without debate. It was also agreed that the Sub-Committee would consider the draft conclusions on Personal Security of Refugees and Refugee Women and Sexual Violence at a later point in the proceedings.

IV. UNHCR'S GUIDELINES ON VOLUNTARY REPATRIATION

27. In his introductory comments, the Chief of UNHCR's General Legal Advice Section drew attention to the Information Note on the Development of UNHCR's Guidelines on the Protection Aspects of Voluntary Repatriation (EC/SCP/80) and suggested that the Note provided an insight into both the process followed by UNHCR in drafting the Guidelines and the main protection issues covered therein.

28. He further highlighted the three primary features of the Guidelines: comprehensiveness, conformity with recognized principles and UNHCR practice and flexibility. In espousing a common understanding of the voluntary repatriation process, the Guidelines attempt to clarify the use of terminology and lay down the parameters defining the nature and scope of UNHCR's involvement, as well as the role and responsibilities of other major actors, in the various situations of refugee repatriation. Depending on the levels of security prevailing in the countries to which refugees are returning, UNHCR's role may be either one of actively encouraging voluntary repatriation or facilitating refugee-induced return movements. In both situations, however, the voluntary character of repatriation remains central to UNHCR's operational framework. The Chief concluded his remarks by offering UNHCR's undertaking to submit the Guidelines to the Sub-Committee in due course and by calling on all delegations to continue to lend their committed support to UNHCR's strengthened efforts aimed at making voluntary repatriation a feasible and truly lasting solution to the refugee problem.

29. The Chairman, taking due note of the fact that no delegation wished to comment further on the clear and informative Note and the introductory remarks, moved to the next agenda item.

V. REFUGEE CHILDREN

30. The Chairman reminded the Sub-Committee that the Executive Committee, at its forty-third session, had requested the High Commissioner to present a policy paper on refugee children to the forty-fourth session and to report on activities and measures taken by UNHCR to improve their situation. At its inter-sessional meeting, this Sub-Committee had reviewed the "Information Note on Refugee Children: UNHCR's Efforts to Address some Persistent Protection Problems" (EC/1993/SCP/CRP.4). The specially convened inter-sessional Joint Meeting of the Sub-Committee on Administrative and Financial Matters and the Sub-Committee of the Whole on International Protection had reviewed the document "Programming for the Benefit of Refugee Children" (EC/1993/SC.3/CRP.15), which provided an interim report on a range of initiatives taken in response to concerns expressed by the forty-third session of the Executive Committee regarding the protection and assistance of refugee children as well as a brief status report on some of the current challenges facing UNHCR with respect to refugee children. Delegations had also received for this meeting of the Sub-Committee the UNHCR Policy on Refugee Children (EC/SCP/82), which sets out the framework for the High Commissioner's future action in favour of refugee children.

31. The Chairman further recalled that, at its forty-third session, the Executive Committee had welcomed UNHCR's initiative to revise the 1988 Guidelines on Refugee Children and drew the attention of the Sub-Committee to the Information Note on the Revision of the Guidelines on Refugee Children (EC/SCP/81) which describes the progress made in this regard. Delegations had also received, on an informal basis, a draft version of the revised Guidelines which will be finalized on the basis of comments from a variety of actors concerned with the protection and care of refugee children, including UNHCR field offices.

32. UNHCR's Senior Coordinator for Refugee Children opened her presentation of the Policy and the Information Note by acknowledging with appreciation delegations' integration of their concerns regarding the protection situation of refugee children into the debate on the Note on International Protection earlier in the day. She informed the Sub-Committee that the presentation of the UNHCR Policy on Refugee Children reflects the High Commissioner's enhanced commitment to the protection and care of refugee children. Its formulation was based principally on the body of rights contained in the Convention on the Rights of the Child and on lessons learned through use over time of the 1988 Guidelines on Refugee Children. It was hoped that the input of various individuals and organizations concerned with the welfare of refugee children would contribute to the quality of the revised Guidelines, entitled Refugee Children: Protection and Care. Whereas the Policy is a much needed institutional framework, the Guidelines derive from the Policy, thereby serving as a more detailed policy guide and practical tool for the field.

33. The Senior Coordinator explained that the contents of the Policy were not meant to be especially innovative, but rather to take the essential first step of formally integrating the relevant provisions of the Convention on the Rights of the Child into UNHCR's daily work. UNHCR will ensure the implementation of the Policy/Guidelines framework through their dissemination, as well as through their proper use in reporting exercises and the training of the staff of UNHCR, other United Nations bodies, Governments and NGOs, as well as refugees. The training will involve the increased focus of People-Oriented Planning (POP) workshops on the needs of refugee children, the integration of the POP methodology into protection training and the creation of a training module and calendar of workshops to accompany the revised Guidelines. As for reporting, field staff will also be trained to identify more effectively protection concerns relating to refugee children and, thereby, provide the Office with more accurate information regarding the protection situation of refugee children.

34. The Senior Coordinator concluded her introduction by stressing that any number of implementation strategies would not be sufficient until all persons responsible for the protection of refugee children fulfilled two objectives. First, to recognize that these children not only have the same human rights as the rest of the population, but also additional rights given their condition as children, and that, in principle, their rights take priority over those of adults. Secondly, to enable those responsible for the protection of refugee children to have, quantitatively and qualitatively, an appropriate presence in refugee populations in order to create the conditions requisite to identify

the protection and assistance needs of refugee children. The heightened aspirations of the Office will need to be responded to with increased resources if the Policy's objectives are to be fully met. The Senior Coordinator highlighted in this regard the urgency of realizing those objectives relating to nutrition and primary education.

35. Delegations thanked the High Commissioner and the Senior Coordinator for Refugee Children for the Policy and the enhanced priority that it represents for UNHCR's work, as well as for the draft of the revised version of the Guidelines. One delegation expressed its appreciation for the concise nature of the Policy. Several delegations expressed their support for every aspect of the Policy's content. One delegation said that the Policy and Guidelines would prove useful to refugee status determination authorities. A few delegations observed that the guidelines reflected, in fact, both the policy and practice of their Governments.

36. Most delegations reaffirmed the importance of the protection and care of refugee children and reiterated that the Policy is a necessary step in the evolution of the High Commissioner's approach to refugee children. One delegation said that UNHCR's action in favour of refugee children was essential to the full implementation of the High Commissioner's mandate, and that a primary consideration in this regard was that durable solutions for refugee children must be sought first and foremost on the basis of their best interests. A number of delegations expressed appreciation for the linkage that is established in the High Commissioner's policy with the overall thrust of the Convention on the Rights of the Child, and not just with Article 22 of the Convention specifically concerning refugees and asylum-seekers. One delegation, however, had difficulties with the scope of the term "refugee child" in the Policy, which was stated to include children in search of asylum and displaced children of concern to the Office. It felt that this inappropriately provided that standards of treatment intended for refugees be bestowed automatically on others. One delegation queried why the Policy did not refer to the aims and programme of action of the 1990 World Summit on Children.

37. Many delegations expressed their support for the mainstreaming of attention to the needs of refugee children into all of UNHCR's activities, and one delegation also commended the synthesis of protection and assistance concerns with which the Policy is infused. A number of delegations underlined the particular protection and care required for unaccompanied minors. One delegation advised that, while they supported UNHCR's policy of providing protection and assistance on the basis of equality between boys and girls, room should be left in UNHCR's actions for affirmative measures benefiting girls, aimed at redressing imbalances caused by inequities perpetrated to date.

38. A few delegations drew the Sub-Committee's attention to the Policy's recognition of the contribution that children, if given the opportunity, can make to assessing and finding solutions to their own problems as well as those of a refugee group generally. One delegation referred specifically to the capacity of children to persuade and endear, and suggested that these talents be used within the context of information and strategies in favour of the protection of refugees. One delegation drew the Sub-Committee's attention to

the relationship between education of refugee children, the prospects for their voluntary repatriation and the development plans of a given country.

39. Addressing particular components of the Policy, one delegation drew the meeting's attention to the importance -- as affirmed by the Policy -- of a community-based approach to UNHCR's planning. A number of delegations endorsed UNHCR's efforts to adapt and expand its use of training in People-Oriented Planning to the protection and care needs of refugee children.

40. Two delegations expressed their desire to maintain contact with UNHCR during the finalization of the revised Guidelines. One delegation expressed a special interest in the section of the Guidelines dealing with education and said that it looked forward to further dialogue with UNHCR on strategies to protect unaccompanied minors.

41. A number of delegations agreed with the Senior Coordinator that additional resources would be required to implement this policy -- particularly in the areas of nutrition and primary education of refugee children -- but suggested close coordination with other United Nations agencies and NGOs in pursuit of these goals, particularly the United Nations Children's Fund (UNICEF). In this respect, one delegation remarked upon the significance of UNHCR's presence at the last two annual sessions of the Executive Board of UNICEF. Another informed the meeting that the Convention on the Rights of the Child urges such coordination and a number of delegations urged UNHCR to collaborate with the Committee on the Rights of the Child. Several delegations reaffirmed their approval of the existence of the post of Senior Coordinator for Refugee Children. One delegation highlighted the need for active management support to ensure the success of the Policy. Another specified that, provided that protecting and assisting refugee children remains a priority for the Office, it would receive the programme support of that Government. A number of delegations expressed their willingness to engage in dialogue regarding the possible creation of a commission or working group aimed at finding solutions for the more persistent obstacles impeding the protection and care of refugee children.

42. Taking the floor to respond to queries and comments, the Senior Coordinator first thanked the Sub-Committee for its demonstration of support for the Policy, and went on to remark on the implicit and explicit recognition, through delegations' interventions, that the Policy has laid the foundation for more cohesive action by the High Commissioner and the rest of the international community in favour of refugee children, and called on delegations to work with UNHCR to this end. Welcoming the expression of interest by certain delegations in holding further consultations with UNHCR, she expressed her readiness and availability for such forms of cooperation. She further informed the meeting that UNHCR works closely with a number of other United Nations bodies on matters regarding refugee children. These include the World Food Programme (WFP), the Committee on the Rights of the Child and, most frequently, UNICEF. In response to the query of one delegation, the Deputy Director of International Protection acknowledged the dilemma faced by UNHCR and States in developing a policy to govern the provision of protection and assistance to children under their care

whose status may range from that of refugee to displaced persons to, possibly, rejected asylum-seekers. He explained that the common ground for the approach adopted in the Policy was the Convention on the Rights of the Child, which specifically refers to the obligations of States Parties to pursue the best interests of every child within their jurisdiction, including children who are asylum-seekers.

VI. UNHCR'S ACTIVITIES FOR REFUGEE LAW PROMOTION, DISSEMINATION AND TRAINING

43. In introducing the Information Note on UNHCR's activities for Refugee Law Promotion, Dissemination and Training (EC/SCP/78), the Chief of the Promotion of Refugee Law Section highlighted the substantial expansion in promotion activities in recent years. This positive development, he said, also provides UNHCR and partners alike with the opportunity to reflect on the challenges facing them in this domain. In this regard, he noted the substantial increase in the number of States which have acceded to the refugee instruments within the past few years, which necessitated giving support to those countries in their establishment of related institutional and legal machinery for the implementation of the refugee instruments as well as in the area of training and legal advisory services. The Chief recalled the importance of the prevention strategy, the success of which, he said, lies in the clear distribution of responsibilities and the proper use of the legal tools available which, in many instances, are complementary.

44. In respect of the future course of action in this domain, he noted that this hinges upon two activities: training and development of networks. In providing details about these activities, he referred to the forthcoming revision of existing training modules through the addition of new materials. He further noted that training activities undertaken jointly with ICRC, the United Nations Human Rights Center and other agencies have substantially increased, especially in countries which have recently acceded to the refugee instruments, and expressed his gratitude for the human and financial support provided by Governments for these activities.

45. The Chief of Promotion of Refugee Law Section finally elaborated on the concept of development of networks, which he qualified as a partnership for the protection of refugees; the aim being one of multiplication of the actors involved. The methods and means range from "train the trainers" courses to sponsorship of academic institutions which provide refugee law courses. He concluded by highlighting the fact that these activities can only serve one purpose: ensuring better protection for refugees.

46. The Chairman thanked the Chief of the Promotion of Refugee Law for his exhaustive account of the activities undertaken by UNHCR in this field. In the absence of any comments from the floor, the Chairman proceeded to the following item on the agenda.

VII. COMMITTEE FOR PROGRAMME AND COORDINATION (CPC) AND THE EVALUATION OF UNHCR

47. The Chairman noted that this agenda item had been included at the specific request of the CPC, which asked that the Report of the Secretary-General on the in-depth evaluation of the programme on international protection of and assistance to refugees (E/AC.51/1993/2) and the related report contained in document A/48/16 (Part 1) be submitted to the Executive Committee of UNHCR for review and action.

48. In his introduction, the Senior Special Advisor recalled that the CPC evaluation had been undertaken pursuant to General Assembly resolution 44/194 of 21 December 1989. Given the broad scope of the evaluation, which covers issues relating both to protection and assistance, the Office had proposed that it be considered both by the Sub-Committee and the Sub-Committee on Administrative and Financial Matters. The Office had prepared a document (EC/1993/SC.2/CRP.30) to highlight the main issues for consideration by the respective Sub-Committees. He pointed out that the CPC, in endorsing the report and its recommendations, had made particular reference to the recommendations 1, 3, and 8 on internally displaced persons, human rights aspects and early-warning, respectively. With regard to the first two recommendations, he referred delegations to the relevant parts of this year's Note on International Protection where these issues were considered in some detail. The Sub-Committee was also informed about the active involvement of the Office in the early-warning activities within the United Nations. The development by UNHCR of information databases on countries of origin of refugees and displaced persons was expected to be a particularly useful contribution.

49. The Chairman thanked the Senior Special Adviser for his thorough presentation. As no delegation wished to take the floor, the Sub-Committee proceeded to the next item on its agenda.

VIII. ANY OTHER BUSINESS

50. Referring to his earlier comments, the Chairman indicated that the Secretariat would welcome initial reactions from delegations on the revised draft conclusions on Personal Security of Refugees and Refugee Women and Sexual Violence, noting that they would be considered in further detail within the framework of the meetings of the "Friends of the Rapporteur".

51. A few delegations commented upon the draft conclusions requesting clarification or suggesting amendments. One delegation, which had submitted a written amendment to the draft conclusion on Refugee Women and Sexual Violence, circulated to delegations before the meeting, explained the background for its proposal The amendment was intended to underline the need for particular sensitivity in the determination of refugee claims of women who have suffered sexual violence and to reinforce women's rights as an integral part of human rights deserving particular attention. This would be in line with developments taking place elsewhere in the United Nations system, which the delegation had strongly supported. The amendment reflected statements of principle, which the

delegation believed were of universal character and it hoped therefore to receive the full support of the Sub-Committee for its proposal. Two observer delegations noted the reference in both draft conclusions to the term "prompt and unhindered access", which in their view, did not take account of the need for bilateral agreement on this matter.

52. The Chairman requested the Secretariat to consider the various points raised by the delegations and, if required, to revise the two draft conclusions for submission to the meeting of the "Friends of the Rapporteur".

53. Noting that this meeting would be the last meeting of the Sub-Committee under his chairmanship and convinced that he reflected the views of all members, a delegation praised the Chairman for the effective manner in which he had conducted the work of the Sub-Committee over the past year. As no other delegation wished to take the floor, the Chairman proceeded to adjourn the meeting.

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

REPORT OF THE SUB-COMMITTEE ON ADMINISTRATIVE AND FINANCIAL MATTERS

I. INTRODUCTION

1. The meeting of the Sub-Committee on Administrative and Financial Matters (Sub-Committee) on 1 October 1993 was opened by its Chairman, His Excellency Ambassador J.F. Boddens-Hosang (Netherlands). The Chairman began by welcoming the delegates and the Acting Deputy High Commissioner, Mr. G. Walzer. In his opening remarks, the Chairman introduced the items on the provisional agenda (EC/SC.2/61). The proposed agenda was adopted.

2. The Chairman suggested that the agenda items be clustered in order to make the most efficient use of the time available. This suggestion was approved by the Sub-Committee.

II. STATEMENT OF THE ACTING DEPUTY HIGH COMMISSIONER

3. At the invitation of the Chairman, the Acting Deputy High Commissioner made an introductory statement. Mr. Walzer noted the departure of Mr. M. Douglas Stafford, the former Deputy High Commissioner, to assume an important position in the administration of the United States Government. He went on to express the appreciation of the High Commissioner and the Office for the work of the former Deputy High Commissioner. Under the leadership of the High Commissioner, and aided by the good governance of the Sub-Committee, Mr. Stafford was able to make a truly significant contribution to the Office's operational capacity, focusing his efforts on performance, effectiveness and accountability. He was a fervent advocate of transparency and of dialogue; he was also a man of great passion and loyalty.

4. The Acting Deputy High Commissioner went on to comment on general management issues that were deemed important in the context of UNHCR's overall performance. He underlined that efficient performance, effectiveness and

accountability remained amongst the foremost goals of the High Commissioner. Enhanced operational response capacity, improved financial systems and monitoring, coupled with the upgrading of information systems, have allowed UNHCR not only to cope with the quite significant and rather sudden growth in activities, but also to maintain and, he believed, improve, the standards of the Office's performance. With rapidly changing demands on the Office and the ever-changing operational environment, action on all these fronts had to be maintained. He then went on to comment on a recent newspaper report which made a number of allegations against a UNHCR staff member in the context of the Office's procurement activities. He shared with the Sub-Committee the results of the extensive inquiry that the High Commissioner had initiated into the allegations; she had found no evidence of abuse of authority or improper action compromising the Office's interests.

5. Speaking of current needs and resources, the Acting Deputy High Commissioner noted that in monetary terms, after a decade of relative stability, with expenditure for all programmes averaging close to $ 500 million dollars per year, UNHCR had faced sudden and dramatic growth in 1991 and 1992. This expansion was mainly due to the events in the Persian Gulf and subsequently in the former Yugoslavia, but also because voluntary repatriation had become a viable solution for several protracted, major refugee situations. He asked for the sustained support of Member States to see through the many humanitarian programmes for 1993. With regard to 1994, whilst it was anticipated that some of the current major programme needs will decline, for example in Cambodia and South-East Asia, he said it was not realistic to assume that overall requirements in the humanitarian sector were likely to diminish drastically. He expressed appreciation of the efforts by both asylum and donor countries in their support for UNHCR.

6. Maximizing the benefits from the limited resources available to the Office remains an overriding objective. To this end, UNHCR is committed to efforts to assure greater coordination in responding to complex emergencies. The Acting Deputy High Commissioner said that UNHCR had followed with great interest the recent consideration by the Economic and Social Council (ECOSOC) of the coordination of humanitarian assistance. He noted that the discussions currently taking place, under the aegis of the Department of Humanitarian Affairs (DHA), on the continuum from relief to rehabilitation and development were particularly vital to UNHCR to assure the durability of its voluntary repatriation movements.

7. The Acting Deputy High Commissioner spoke of the unique and highly effective cooperation that existed between UNHCR and the World Food Programme (WFP). Recently, the two agencies concluded a series of discussions on how to make their working relationship even more productive. He also mentioned that UNHCR was reviewing its contacts with the Bretton Woods and other financial institutions with the objective of soliciting their support, particularly in regard to assistance to returnees. The closer working relationship that was developing between UNHCR and the United Nations Development Programme (UNDP) was also referred to. A particular example of this successful cooperation was the assumption of the leadership of the International Conference on Central American Refugees (CIREFCA) process by UNDP in July 1993.

8. As UNHCR seeks to build partnerships with other United Nations bodies, it is also convinced of the need to renew and strengthen its partnership with non-governmental organizations (NGOs). For this reason, the High Commissioner has launched a series of consultations with NGOs aimed at improving thepartnership between NGOs and UNHCR. These consultations and the related initiatives are referred to as the PARINAC ("Partnership in Action") process. After a series of regional preparatory meetings with NGOs in the course of 1993 and 1994, there will be a global UNHCR/NGO PARINAC Conference in Oslo in June 1994, hosted by the Norwegian Government.

9. The Acting Deputy High Commissioner went on to note that in speaking of resources, it was important to remember that UNHCR's greatest resource was its staff. He spoke of the commitment they brought to their work, which was often performed under extremely dangerous circumstances. Several colleagues had lost their lives in the discharge of their duties; he expressed sympathy to their families and friends. He noted that concerns for the safety of staff weighed heavily on the High Commissioner.

10. The Acting Deputy High Commissioner concluded his statement by thanking the Chairman for the support and guidance that he had provided to the deliberations of this Sub-Committee over the last year.

III. REPORT ON THE WORK OF THE INTER-SESSIONAL MEETINGS

11. The Chairman then gave an overview of the work of the inter-sessional meetings of the Sub-Committee. The Sub-Committee then moved on to the adoption of the draft reports of the 18 May 1993 joint meeting of the Sub-Committee on Administrative and Financial Matters and of the Whole on International Protection (EC/1993/SC.2/CRP.17), as well as the Sub-Committee's 19 May 1993 meeting (EC/1993/SC.2/CRP.18). These two reports were adopted with no changes.

IV. UNHCR PROGRAMMES AND FUNDING

12. The Chairman drew the Sub-Committee's attention to the documents related to the agenda items under this cluster: document A/AC.96/808, Parts I to VI, entitled UNHCR Activities Financed by Voluntary Funds: Report for 1992-1993 and Proposed Programmes and Budget for 1994; document A/AC.96/813, Overview of UNHCR Activities: Report for 1992-1993; document E/1993/20, Report of the United Nations High Commissioner for Refugees to the Economic and Social Council; document A/AC.96/816, UNHCR Activities Financed from Voluntary Funds: Report for 1992-1993 and Proposed Programmes and Budget for 1994: Report of the Advisory Committee on Administrative and Budgetary Questions; document A/AC.96/810, Report on the Status of Contributions to UNHCR Funds as of 31 May 1993; and the Conference Room Papers which gave updates on UNHCR's programmes and funding projections (EC/1993/SC.2/CRP.19) and on voluntary repatriation movements (EC/1993/SC.2/CRP.23).

13. The Chairman then invited the Director of the Division of Programmes and Operational Support to introduce the relevant agenda items.

14. Mr. E. Morris, Director of the Division of Programmes and Operational Support, said that the important item within the cluster entitled UNHCR programmes and funding was the General Programmes target for 1994. He noted that the current budgetary estimates for 1993 General Programmes remained at $ 413.6 million. Although new and additional needs were revealed at the time of the budgetary review in August 1993, these had been accommodated within the approved 1993 General Programmes target.

15. With regard to 1994, the initial budgetary estimates for General Programmes stood at $ 418,523,000. The same provisions as in 1993 had been made for the Emergency Fund and the General Allocation for Voluntary Repatriation, while the 1994 Programme Reserve amounted to $ 33.9 million. He said that after the review of 1994 General Programmes needs in late 1993, UNHCR would come back to the Sub-Committee with updated requirements.

16. With regard to Special Programmes, the Director referred to the update for 1993 found in the Annex to Conference Room Paper EC/1993/SC.2/CRP.19. He noted that, in comparison to the amounts indicated in the Overview document (see Table V.3 of document A/AC.96/813), there has been a downward revision in estimated needs for 1993. This has mainly been because of difficulties encountered in the implementation of some of UNHCR's major Special Programmes. He pointed out, however, that there had been upward revisions for certain African repatriation programmes in the Horn of Africa and West Africa.

17. In relation to repatriation activities, especially under Special Programmes, he said the information found in tabular form in the Annex to EC/1993/SC.2/CRP.19 should be complemented by the document on Voluntary Repatriation (EC/1993/SC.2/CRP.23).

18. The Director concluded his presentation by saying that, at this stage, estimates for 1994 Special Programmes must be regarded as being particularly tentative.

A. General and Special Programmes

19. A number of delegations voiced their approval of the proposed 1994 General Programmes target. The necessity to fund fully the core General Programmes was stressed by several delegations. One delegation said this was a top priority as General Programmes provided a framework for a more effective use of resources. Given the nature of the decisions on General Programmes, there was an inbuilt incentive to review constantly whether programmed resources were needed or not; on the other hand, funds for Special Programmes were rather locked into specific projects, having been given for a particular purpose. It was stressed that the Sub-Committee should keep under review the validity of the distinction between General and Special Programmes.

20. A number of delegations commented on the flexibility afforded by the existence of the Emergency Fund, the Programme Reserve and the General Allocation for Voluntary Repatriation. Swift utilization of these funds was considered to have saved many lives and reduced the number of appeals having to be issued. One delegation said there was a need to find a method to assure a comparable flexibility in the use of contributions to Special Programmes.

21. One delegation asked for a cautious appraisal of the funding possibilities in 1994.

22. One delegation (United States of America), stressing the priority of General Programmes, said it had increased its contribution to the General Programmes in 1993 to $ 91 million, including a recent unearmarked contribution of $ 19 million. Another delegation (Australia) said that it had increased its contribution to General Programme by five per cent. The delegation of Denmark stated that it would be making an announcement on an additional contribution to UNHCR during the Plenary of the Executive Committee.

23. A number of delegations asked quite specific questions on programme matters, for example the disproportional allocation of university scholarships in relation to refugee populations, lack of projected funding allocations for some programmes, etc.

24. One delegation said it was difficult to get an accurate figure for Headquarter's expenditure. It noted similar comments in this regard in the report of the Advisory Committee for Administrative and Budgetary Questions (ACABQ) (A/AC.96/816).

25. Several delegations supported quick-impact projects (QIPs) and emphasized the importance of involving development agencies as early as possible in reintegration programmes.

26. In regard to implementing partners, a number of delegations stressed the importance of the High Commissioner's initiative in launching the PARINAC process.

27. Another delegation stated that it was difficult to approve a proposed 1994 General Programmes target in isolation, without having an overview of total needs. It was, therefore, proposed that paragraph 81 (b) of document A/AC.96/813, which sets out one of the summary proposals related to General Programmes requiring the approval of the Executive Committee, be amended by making the following addition:

> "and recognizes that given the current proposed estimates for Special Programme activities for 1994, overall estimated financial requirements will amount, subject to the availability of funds, to approximately $ 1.2 billion."

28. This amendment was accepted by the Sub-Committee. With this amendment, the Sub-Committee recommended to the Executive Committee that all of the summary proposals in paragraph 81 of document A/AC.96/813 be approved.

B. Documentation

29. Mr. Morris drew attention to the report of the ACABQ, especially its comments on documentation. He said that the ACABQ was requesting a radical overhaul. Basically, the ACABQ was asking for a document (of some 100 pages) which would replace the Overview document and which would only contain information on the Administrative and Programme Support Budgets, for example the

revised 1993 budget and the proposed 1994 budget; this would be by country programme and for Headquarters. The ACABQ felt that this information could be found spread throughout document A/AC.96/808, Parts I-VI, but wanted this information more readily available in one document. The "country chapters", under the ACABQ's proposal, would continue, but they would focus on programmatic issues rather than programme support and administrative arrangements. Mr. Morris proposed that at a future Sub-Committee meeting there be a detailed discussion on the question of documentation.

30. A number of delegations thanked the Secretariat for the completeness and increased transparency of the documentation. As regards specific ACABQ comments on the documentation, it was pointed out by several delegations that the main purpose of the documentation was to benefit the Executive Committee and the Sub-Committee, and not the ACABQ, whose role was advisory in nature. Many delegations stressed that the documentation was too voluminous and cumbersome, and should therefore be rationalized and streamlined. In this connection, it was also noted that the agenda was far too large. One delegation suggested that the Sub-Committee deal only with one "core" document, similar to the Note on International Protection. This core document could concentrate on programming, management and budgetary matters and should be similar to the Overview document (A/AC.96/813). Other items would be considered at inter-sessional meetings of the Sub-Committee in order not to overload the agenda. Another delegation said that a list of outstanding issues needed to be drawn up, and that a schedule for discussion of these issues should be established.

C. Voluntary Repatriation

31. A number of delegations welcomed the document on voluntary repatriation. One delegation said that in citing statistics on voluntary repatriation, a more consistent approach was necessary. Another delegation emphasized the linkage between repatriation and the reintegration programmes in the country of origin. One delegation suggested that in situations where collective repatriation movements encounter difficulties, UNHCR take steps to facilitate the repatriation of smaller groups of refugees.

D. Funding

32. Mr. E. Chipman, the Head of the Fund Raising Service, gave an update on the funding situation. As of 30 September 1993, total contributions to General Programmes amounted to $ 283 million. With the carry-over of $ 70 million from 1992, UNHCR had now reached 85 per cent of its General Programmes target, namely $ 353 million.

33. The Head of the Fund Raising Service expressed UNHCR's gratitude to those donors who had made a special effort to make contributions to the General Programmes. He also drew attention to a bulletin prepared by the Division of External Relations which set out information on General Programmes and their importance.

34. In relation to Special Programmes, Mr. Chipman gave an update on the funding situation for Afghanistan, Mozambique, Somalia and the former Yugoslavia. He also drew attention to needs in Tajikistan, Benin, Ghana and Liberia.

35. In concluding his presentation, Mr. Chipman underlined the need for a strong donor response at the Pledging Conference in New York on 10 November 1993.

36. A number of donors pointed to their own financial constraints and suggested that UNHCR should expand its donor base, particularly since many traditional donors could no longer be relied upon to meet fully UNHCR's budgetary needs.

V. SPECIFIC PROGRAMME-RELATED ISSUES

37. The Chairman asked the Director of the Division of Programmes and Operational Support to make a brief presentation of this cluster of items. In his introduction, Mr. Morris drew attention to the following documents: Summary Report on the UNHCR Internal Working Group on Programme Management and Operational Capacity (EC/1993/SC.2/CRP.20); Update on UNHCR's Capacity to Respond to Emergencies (EC/1993/SC.2/CRP.21); Refugees and the Environment (EC/1993/SC.2/CRP.22); UNHCR's Cooperation with the World Food Programme (EC/1993/SC.2/CRP.31).

A. Working Group on Programme Management and Operational Capacity

38. In discussing the summary report of the Working Group on Programme Management and Operational Capacity, Mr. Morris highlighted some of the policy considerations that the Working Group had addressed.

39. A number of delegations welcomed the tenacity of UNHCR's management in identifying programming problems and suggesting appropriate solutions. However, several delegations felt that the proposed increased delegation of authority to the field should be supported by adequate training and capacity-building of staff. A phased approach, coupled with the relevant training, was therefore to be recommended. A number of delegations also stressed that increased delegation of authority required greater accountability. One delegation criticized the prose of the summary report.

40. In his comments on the interventions, Mr. Morris noted that UNHCR now had two new Training Officers whose job it would be to provide managers in the field with the appropriate skills. The Office also intended to issue a shorter and more "user-friendly" version of Chapter 4 of the UNHCR Manual to assist in this regard.

B. Emergency Response Capacity

41. The Director of the Division of Programmes and Operational Support, in introducing this agenda item, reminded the Sub-Committee that the enhancement of UNHCR's capacity to respond to emergencies had been one of three goals established by the High Commissioner when taking office. He referred to two new resources which had been added recently to UNHCR's emergency response capacity. In response to a critical need identified in the area of administrative support, UNHCR has created a pool of eleven standby administrative officers, namely four Senior Emergency Administrators and seven Emergency Finance and Administrative Assistants. These eleven staff members have undergone a comprehensive

three-month training programme and ten have since been deployed to emergency operations or operations with critical administrative needs. The other initiative was to ensure that UNHCR's emergency response took into account the special needs of vulnerable groups through the early intervention of well-trained community workers. The availability of these community workers who have been trained and briefed by UNHCR, in particular on the Guidelines for the Protection of Refugee Women and the Guidelines on Refugee Children, was now guaranteed through a stand-by arrangement with Rädda Barnen (Sweden). A third initiative was the renewal of the agreement with Norway and Denmark regarding the Nordic standby arrangement.

42. Several delegates expressed appreciation for the comprehensive report provided on UNHCR's emergency response capacity. There was general recognition that UNHCR's response capacity was now well established and satisfaction was expressed by several delegates for the cooperative efforts with NGOs, Governments and United Nations agencies in UNHCR's emergency response measures. The delegate from the United Kingdom announced that his Government would soon be coming forward with proposals for similar cooperation with UNHCR. Several delegates noted with satisfaction the use of United Nations Volunteers (UNVs) and encouraged the maximum use of this cost-effective and valuable resource in responding to refugee emergencies. It was recognized that stand-by staffing capacities cannot be used as a substitute for longer-term staffing requirements and one delegation suggested that UNHCR be more proactive in engaging indigenous NGOs as a possible measure to address long-term staffing requirements. The view was also expressed that the efforts of UNHCR to enhance emergency operations need to be complemented by efforts in the entire United Nations system. In particular, links between UNHCR and DHA, and other key international humanitarian relief partners, such as WFP and the International Committee of the Red Cross (ICRC), should be established for dealing with the initial stages of an emergency. Another delegation stressed the importance of maximizing financial resources by giving priority to joint appeals in emergency situations. One delegation welcomed the High Commissioner's initiative to improve administrative capacities.

C. Environment

43. Mr. Morris introduced the Senior Coordinator for Environmental Affairs, Mr. K. Watanabe. He said that document EC.1993/SC.2/CRP.22 represented an interim report on the work being done by the Senior Coordinator and proposed to look more closely at the issue of the environment at the next Sub-Committee meeting.

44. Several delegations welcomed the appointment of the Senior Coordinator for Environmental Affairs and expressed appreciation for the work being done to develop guidelines for the environmental management of refugee sites, and related databases.

45. Two delegations referred to environmental problems caused by the large presence of refugees in their countries and asked that UNHCR take concrete steps to address these problems.

46. One delegation asked that there be regular reporting to the Sub-Committee on developments in relation to environmental matters.

D. UNHCR/WFP Cooperation

47. The Director of the Division of Programmes and Operational Support briefed the Sub-Committee on progress made by both agencies in reviewing their working arrangements. He underlined the unique cooperation that existed between UNHCR and WFP. He stressed the importance of WFP having the resources necessary to respond to emergencies, especially in the form of a fully funded Immediate Response Account (IRA).

48. The Chairman welcomed Mr. B. Szynalski, Chief of the Disaster Relief Service of WFP, and requested him to complement the remarks made by the Director of the Division of Programmes and Operational Support. Mr. Szynalski stressed that the goal of the arrangements between UNHCR and WFP was to build on the comparative advantages of both agencies. He noted that WFP had distinct advantages in the areas of logistics and transportation. He also referred to the initiative of UNHCR and WFP to establish joint training programmes on food monitoring in refugee situations. Mr. Szynalski also made reference to WFP's intention to establish emergency response teams.

49. One delegation made a forceful appeal to other delegations to assist WFP in enhancing its emergency response capacity. Whereas UNHCR has flexible budget lines such as the Emergency Fund, the General Allocation for Voluntary Repatriation and the Programme reserve, WFP does not have similarly well-developed budgetary mechanisms. Unless this is addressed, the overall response to a refugee situation will not be adequate, due to lack of food. Detailed questions on nutritional surveillance and stockpiling were also raised by one delegation. One delegation stated that in reviewing the working arrangements between WFP and UNHCR, Governments also needed to be consulted. Another delegation asked whether UNHCR foresaw the signing of Memoranda of Understanding (MOUs), similar to the WFP/UNHCR MOU, with other organizations.

50. In commenting on this last question, Mr. Morris noted that several such MOUs existed, but none of them was nearly as specific and detailed as the one between WFP/UNHCR.

VI. EVALUATION

51. The Chairman introduced the Chief of UNHCR's Central Evaluation Section, Mr. L. Martin, and invited him to comment on the documents related to the first part of this cluster, namely document A/AC.96/809, entitled UNHCR Evaluation Activities, and Conference Room Paper EC/1993/SC.2/CRP.27, UNHCR's Policy on Refugee Women: An Evaluation Summary.

52. A number of delegations welcomed UNHCR's efforts to strengthen the evaluation function, observing that the growing scale and complexity of UNHCR's activities had created an increased demand for systematic reviews of key policy and programme issues. Several delegations commended the scope, quality and importance of the topics included in the Central Evaluation Section's work programme, and said they looked forward to receiving summaries of the evaluations currently in progress.

53. The importance of incorporating lessons learned from evaluation activities into policy development, strategic planning and programme design was stressed by one delegation. It requested that future reports to the Executive Committee reflect how UNHCR is utilizing its evaluation findings to improve programming. A number of delegations suggested that UNHCR could usefully provide the Sub-Committee with additional information on the follow-up to completed evaluations. One delegation also encouraged UNHCR to explore the possibility of undertaking evaluations in collaboration with other organizations, especially in the case of complex emergencies. Another suggested evaluating the institutional capacity of implementing agencies. Another delegation also suggested that UNHCR invite donor countries to participate in joint evaluations.

54. Appreciation for the evaluation of the impact of UNHCR's Policy on Refugee Women was expressed by a number of delegations; support was expressed for UNHCR's efforts to incorporate the policy into programme activities. At the same time, speakers took note of the evaluation's conclusion that the impact of the policy had been uneven, and that significant obstacles still remained to its effective implementation. Delegations endorsed a wide range of recommendations presented in the evaluation summary, particularly those referring to needs assessment, monitoring and accountability. One delegation stressed the importance of the collection of age- and gender-disaggregated statistics. Another delegation stressed that the Executive Committee should be kept informed of the implementation of the recommendations of the evaluation of the Policy on Refugee Women.

55. The in-depth evaluation of UNHCR's programme on international protection of and assistance to refugees (E/AC.51/1993/2) as well as the recommendations and conclusions of the Committee on Programme and Coordination (CPC) on the evaluation study (A/48/16 (Part I)) was presented by Mr. B. Deschamp of the Programme Policy Unit.

56. Several delegations expressed their support for the thrust of the recommendations in the report. One delegation felt that the range of issues covered in the evaluation, for example the need for strategic planning, multi-year programming and budgeting, the relationship between General and Special Programmes, etc., were central to the effective operation of UNHCR.

57. It was decided that the recommendations of the evaluation should be considered systematically in the forthcoming inter-sessional meetings of the Sub-Committee; where possible, the recommendations should be reviewed in relation to the ongoing work of the Sub-Committee.

VII. FINANCIAL AND MANAGEMENT QUESTIONS

58. In his opening remarks to this cluster of agenda items, the Chairman extended a warm welcome to Ms. Lynn Wallis, the recently appointed Director of the Division of the Controller and Management Services.

59. The Controller addressed three agenda items: the 1992 accounts and audit report (A/AC.96/811, A/AC.96/812, A/AC.96.816); the new UNHCR headquarters premises (EC/1993/SC.2/CRP.29); and the proposal to establish an inspector for operational activities (EC/1993/SC.2/CRP.28).

A. Accounts and Audit Report

60. It was noted that the 1992 accounts had received a favourable opinion from the auditors. The Controller indicated that UNHCR had already initiated steps to respond to the concerns raised in the auditors' report (A/AC.96/812) in regard to cash management, project management and closures, informations systems activities, procurement and property management.

61. One delegation commented on the audit report and indicated its pleasure at the actions that were under way to address the audit observations. The delegation also asked if UNHCR would be establishing an audit strategy for 1994; the Controller confirmed that this was planned.

62. Another delegation pointed out the continuing importance of three principles raised in earlier sessions of the Sub-Committee, namely: the accountability of UNHCR and its operating partners; indicators for a performance-based organization; and strategic planning.

B. New Office Premises

63. The Controller said that the construction of the new UNHCR premises was progressing well and that UNHCR expected to move to the new building in May 1994. It was hoped that in the coming months the Office would be able to make a final decision regarding the "lease or buy" option, especially in the light of proposed rental costs. The Sub-Committee would be kept informed on the issue. The Controller indicated that she has already taken action, in response to the questions raised by the ACABQ (A/AC.96/816), to utilize the expertise available within the United Nations Building Management Services Section in New York to assess the reasonableness of the proposed rent and maintenance costs.

64. One delegation expressed concern that all staff could not be accommodated in the new building. A question was raised with regard to the common space utilization in the new building and how the amount of floor space in the new building, to be devoted to conference and communal facilities, related to that in the existing premises. The Controller was of the opinion that the conference facilities in the new building would be much better.

C. Inspector of Operational Activities

65. In relation to the proposal to create a position of Inspector of Operational Activities, the Controller said that the High Commissioner's initiative should be considered in the context of her concern to strengthen the management capacity of the Office. The proposed post would provide her with a broad based assessment of operational performance in the field. UNHCR felt that the proposed Inspector of Operational Activities neither duplicated existing functions nor the post of Inspector General which is being discussed presently in New York. Nevertheless, UNHCR understood the concerns that had been raised by the ACABQ and would be responding to them.

66. A number of delegations expressed their support for the concept of an Inspector of Operational Activities and for the spirit in which the proposal had been made. One delegation suggested that the position should be approved for a

period of two years and that its effectiveness should be assessed after that time. One delegation said that a revised proposal, including detailed job description, should be presented to the ACABQ without further delay which would allow the Advisory Committee to assess the relationship of the UNHCR post to that of the proposed United Nations Inspector-General.

67. The Chairman asked the Controller to follow up, in the course of this calendar year, the comments of ACABQ on the Office of an Inspector for Operational Activities; he also asked that the views expressed in the Sub-Committee's debate on the issue be absorbed in the new response to the ACABQ.

D. International Procurement

68. The agenda items dealing with international procurement (EC/1993/SC.2/CRP.24) and the categorization of posts (EC/1993/SC.2/CRP.25) were introduced by the Director of the Division of Programmes and Operational Support.

69. In regard to international procurement, one delegation expressed frustration at the delays in the procurement of medicines. Other interventions expressed confidence in the existing checks and balances in UNHCR's procurement system, which ensure accountability and transparency.

E. Categorization of Posts

70. On the question of the categorization of posts, one delegation considered that good progress had been made in establishing a logical formula that would permit the monitoring and comparability of the relationship between Programme Support and Administrative Posts (PSA) and Programme Posts (PP), both at Headquarters and in the field.

VIII. HUMAN RESOURCES

71. In his introductory remarks on this item and the related document (EC/1993/SC.2/CRP.26), Mr. M. Baquerot, the Director of Human Resources Management, stressed the important role of staff/management consultations on major policy issues. He also focused on the question of occupational stress, and indicated the innovative steps that UNHCR had taken in this regard.

72. One delegation underlined the importance of staff security and the issue of occupational stress in increasingly dangerous situations. On the latter issue, the delegation expressed its appreciation of what UNHCR was doing, and encouraged it to consult with other organizations like WFP and the United Nation's Children's Fund (UNICEF) on this matter. Another delegation asked which steps had been taken to sensitize UNHCR staff to its policy on refugee women. One delegation focused on elements which were not addressed in the Conference Room Paper, namely the need to establish a closer relationship between skills profiles and management needs, and conditions of service for hardship duty stations. One delegation, in welcoming the Conference Room Paper, particularly its treatment of security, recruitment, career development and the

strategic plan for human resources management, pointed out that previous Sub-Committee meetings had already received statements on goals and objectives. What was now needed was more progress in the implementation of these goals, in particular in regard to career development and training. On the question of women, the same delegation had received reports from its sources in the field that the percentage of women protection officers and field officers was not increasing, and it was also concerned that no details had been provided in the Conference Room Paper on women at senior levels.

73. The Director of Human Resources Management, in his reply to the various interventions, said that more effort was needed in promoting UNHCR's Policy on Refugee Women. As regards conditions of service in hardship locations, the importance of the issue was recognized; however, the United Nations Common System was not necessarily geared to the operational conditions of UNHCR, and this placed certain constraints on how far UNHCR could go in introducing improvements. On the question of the compensation package for staff, UNHCR expressed the hope that the International Civil Service Commission (ICSC) would not only concentrate on the improvement of emoluments, but also focus on field conditions. Within existing rules, UNHCR was working on improving conditions of service in the following areas: shipment of personal effects, a review of pre-assignment missions, procurement missions, stress management, the possible establishment of local Compensation Claims Boards, etc. It was agreed that for the next inter-sessional meeting of the Sub-Committee, there would be a report on the status of women in UNHCR.

IX. ANY OTHER BUSINESS

74. As there were no other items to be discussed, the Chairman closed the meeting by thanking delegations for the expeditious way in which they had handled the extensive agenda.

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HIGH COMMISSIONER'S PROGRAMME

Forty-fourth session

REPORT OF THE FORTY-FOURTH SESSION OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

(Geneva, 4 - 8 October 1993)

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I. INTRODUCTION

A. Opening of the session

1. The Executive Committee of the High Commissioner's Programme held its forty-fourth session at the Palais des Nations at Geneva from 4 to 8 October 1993. The session was opened by the outgoing Chairman, His Excellency Mr. Juan Archibaldo Lanus (Argentina). He began by requesting a moment of silence in commemoration of the victims of the earthquake which struck India on 30 September 1993.

2. Ambassador Lanus noted that, over the past two years, UNHCR has had to face many new challenges and had achieved some notable successes. The Office's budget had been substantially increased, but the volume of refugee flows had risen still more sharply. Far from diminishing, the number of conflicts worldwide was on the increase. In the former Yugoslavia alone, more that four million people were now dependent on international aid; over ten per cent of the population of Somalia and Liberia had fled beyond those countries' borders; some 500,000 persons had been displaced as a result of the conflict between Armenia and Azerbaijan; and new flows of refugees from Bhutan and Togo had occurred.

3. Against this sombre background, the outgoing chairman drew attention to UNHCR's achievements, especially in Central America and Cambodia, where voluntary repatriation had taken place on an unprecendented scale, and in Mozambique, where preparations were under way for the largest organized repatriation movement ever carried out by UNHCR.

4. Ambassador Lanus paid a special tribute to UNHCR staff at all levels for their selfless devotion and commitment to the Office's humanitarian ideals, as well as to non-governmental organizations and their many volunteer field workers. He also expressed appreciation to donor countries whose continuing support and solidarity deserved particular thanks. In conclusion, he expressed high esteem for the High Commissioner, whose work and leadership enjoyed the confidence and respect of all delegations.

B. Election of officers

5. Under rule 10 of the Rules of Procedure, the Committee elected the following officers by acclamation:

Chairman:	Ambassador J.F. Boddens-Hosang (Netherlands)
Vice-Chairman:	Ambassador Ahmad Kamal (Pakistan)
Rapporteur:	Mr. Norman José Miranda Castillo (Nicaragua)

C. Representation of the Committee

6. The following members of the Committee were represented at the session:

Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, Ethiopia, Finland, France, Germany, Greece, Holy See, Hungary, Iran (Islamic Republic of), Israel, Italy, Japan, Lebanon, Lesotho, Madagascar, Morocco, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America and Venezuela.

7. The Governments of the following States were present as observers:

Afghanistan, Angola, Armenia, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Bulgaria, Burundi, Cameroon, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Gabon, Ghana, Guatemala, Honduras, Iceland, India, Indonesia, Iraq, Ireland, Kenya, Kuwait, Latvia, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malawi, Malaysia, Mauritania, Mexico, Mozambique, Myanmar, Nepal, New Zealand, Oman, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Swaziland, Syrian Arab Republic, Ukraine, Uruguay, Viet Nam, Yemen, Zambia and Zimbabwe.

The Sovereign Order of Malta was also represented by an observer.

8. The United Nations system was represented as follows:

Department of Humanitarian Affairs (DHA), United Nations Office at Geneva (UNOG), United Nations Development Programme (UNDP), United Nations Volunteers (UNV), United Nations Environment Programme (UNEP), United Nations Population Fund (UNFPA), United Nations Institute for Training and Research (UNITAR), United Nations Research Institute for Social Development (UNRISD), World Food Programme (WFP), International Labour Organisation (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), International Telecommunication Union (ITU), World Meteorological Organization (WMO), United Nations Industrial Development Organization (UNIDO).

9. The following intergovernmental organizations were represented by observers:

Commission of the European Communities, Council of Europe, International Committee of the Red Cross, International Organization for Migration, Islamic Development Bank, League of Arab States, Organization of African Unity, Organization of the Islamic Conference.

10. The Pan Africanist Congress of Azania (PAC) was also represented at the session.

11. A total of 90 non-governmental organizations were represented by observers.

D. Adoption of the agenda and other organizational matters

12. The Executive Committee adopted by consensus the following agenda (document A/AC.96/807):

1. Opening of the session

2 Election of officers

3. Adoption of the agenda and other organizational matters

4. General debate

5. (a) Review of UNHCR programmes financed by voluntary funds in 1992-1993; adoption of the 1994 General Programmes and budget

(b) Status of contributions and overall financial requirements for 1993 and 1994

(c) Administration and management

6. Participation of Government Observer delegations

7. Consideration of the provisional agenda of the forty-fifth session of the Executive Committee

8. Any other business

9. Adoption of the draft report of the forty-fourth session

10. Closing of the session

E. Opening statement by the Chairman of the Executive Committee

13. In his opening statement, His Excellency Mr. J.F. Boddens-Hosang (Netherlands) said that it was an honour for him and his country, which has been a traditional haven for persons seeking sanctuary from persecution, to have been elected as Chairman of the Executive Committee of the High Commissioner's Programme. He pledged that the newly elected Bureau of the Committee, would work closely together for the well-being of UNHCR. He also extended a warm word of gratitude to the High Commissioner for the exceptional skills, perseverance, courage and tenacity with which she has performed her heavy duties.

14. The Ambassador observed that UNHCR had been assuming tasks, such as that of lead agency to help civilian victims of war, which had not been envisioned at the time of its creation. In the Ambassador's view, the Office had proven not only that it was up to the task, but that it was also flexible enough to adjust to constantly evolving and often dangerous circumstances. The Ambassador expressed his admiration for UNHCR's work worldwide and paid tribute to those who had lost their lives in the line of duty.

15. The past year had provided UNHCR with moments both of hope and deep concern. The great strides taken towards the attainment of durable solutions in Cambodia, Ethiopia, north-west Somalia and South Africa had given rise to hope and satisfaction. The Ambassador hoped that Mozambique and Haiti would soon experience the return of refugees in safety and dignity. However, the eruption of new conflicts or the resumption of old ones, and the consequent increase in refugee numbers, aroused deep concern.

16. The Ambassador drew attention to the figure of 24 million internally displaced persons. He remarked that, as stated in the Note on International Protection, the High Commissioner's legal basis for working on their behalf was qualitatively different from that governing UNHCR's work on behalf of refugees in countries of asylum. Without jeopardizing UNHCR's primary role of protection and assistance to refugees, the Ambassador felt there was a need for further thought on the ways and means to enable the High Commissioner to assist the internally displaced, where called upon, and bearing in mind the criteria mentioned in the Note. He hoped that the Committee's debate, as well as further discussions in the Sub-Committee of the Whole on International Protection, would provide new ideas in this field.

17. Ambassador Boddens-Hosang concluded his statement by reminding the Committee that while the right to life, liberty and the security of person was enshrined in Article 3 of the Universal Declaration of Human Rights, not everyone was in a position to exercise this right. The Ambassador exhorted the members of the Executive Committee to work together to help UNHCR to provide protection and assistance to persons described by the eminent Dutch jurist and founder of international humanitarian law, Hugo Grotius, as "those unhappy people who are persecuted by fate but did not by themselves commit any crime".

II. WORK OF THE FORTY-FOURTH SESSION (items 4 to 10)

18. The High Commissioner's opening statement to the Executive Committee is reproduced in the annex to the present report. The full account of the deliberations of the Committee, including the statements or other interventions made by delegations on all the agenda items of the meeting, as well as the closing statements by the Chairman and the High Commissioner, are contained in the summary records of the session (SR.481 to SR.489).

III. DECISIONS AND CONCLUSIONS OF THE COMMITTEE

A. Conclusions on International Protection

1. General Conclusion on International Protection

19. The Executive Committee,

(a) Notes with concern the dimension and complexity of the present refugee problem, the potential risk of new refugee situations and the challenges confronting refugee protection;

(b) Reaffirms the importance of the 1951 Convention and 1967 Protocol relating to the Status of Refugees at the centre of the international legal framework for the protection of refugees;

(c) Welcomes, in this connection, the recent accession or succession of Armenia, Azerbaijan, the Bahamas, Bosnia and Herzegovina, Bulgaria, Cambodia, the Czech Republic, the Republic of Korea, the Russian Federation and the Slovak Republic to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, bringing the number of States parties to one or both instruments to 123, and encourages other States to accede to these instruments and to implement their provisions and thus to promote further international cooperation in responding to and resolving refugee problems;

(d) Recognizes the crucial importance of the High Commissioner's functions of providing international protection to refugees and seeking solutions to refugee problems, the exercise of which has become increasingly difficult owing to the increasing numbers of persons in need of protection and the growing complexity of the problems of coerced displacement;

(e) Notes with appreciation that States confronted with refugee situations, including in particular developing countries with limited resources, continue to observe the fundamental principles of international protection, admitting and providing asylum to more than eighteen million refugees, and welcomes the continuing strong commitment of States to provide protection and assistance to refugees and to cooperate with the High Commissioner in the discharge of her international protection responsibilities;

(f) Notes however with concern that the protection of refugees continues to be seriously jeopardized in certain situations as a result of denial of access, expulsion, refoulement and unjustified detention, as well as other threats to their physical security, dignity and well-being;

(g) Calls upon States to uphold asylum as an indispensable instrument for the international protection of refugees and to respect scrupulously the fundamental principle of non-refoulement;

(h) Stresses the importance of international solidarity and burden-sharing in reinforcing the international protection of refugees, and

calls upon all States in conjunction with UNHCR to cooperate in efforts to lighten the burden borne by States that have received large numbers of refugees and asylum-seekers;

(i) Reiterates the importance of establishing and ensuring access consistent with the 1951 Convention and the 1967 Protocol for all asylum-seekers to fair and efficient procedures for the determination of refugee status in order to ensure that refugees and other persons eligible for protection under international or national law are identified and granted protection;

(j) Recognizes that in certain regions the arrival and presence of large numbers of applicants for asylum and refugee status who have no valid claim to international protection creates serious problems both for refugees and for the States concerned by adversely affecting the institution of asylum, jeopardizing the effectiveness of national procedures for the determination of refugee status, and preventing the prompt and effective protection of refugees;

(k) Stresses the usefulness of measures to promote the prompt determination of refugee status in fair procedures, and recognizes the advisability of concluding agreements among States directly concerned, in consultation with UNHCR, to provide for the protection of refugees through the adoption of common criteria and related arrangements to determine which State shall be responsible for considering an application for asylum and refugee status and for granting the protection required, and thus avoiding orbit situations;

(l) Emphasizes that such procedures, measures and agreements must include safeguards adequate to ensure in practice that persons in need of international protection are identified and that refugees are not subject to refoulement;

(m) Supports the further exploration by the High Commissioner and States of various asylum strategies, such as temporary protection, in relation to persons compelled to flee their countries in large numbers and who are in need of international protection, pending the identification of an appropriate solution, and reaffirms the importance of Executive Committee Conclusion No. 22(XXXII) on Protection of Asylum-Seekers in Situations of Large-Scale Influx;

(n) Recognizes the importance of addressing prevention, protection and solutions on a comprehensive regional basis, and encourages the High Commissioner to consult with States, the United Nations Department of Humanitarian Affairs (DHA), the United Nations Development Programme (UNDP), the International Organization for Migration (IOM) and other relevant international organizations and regional bodies on possibilities for additional measures and initiatives in specific areas with complex problems of coerced population movements, and to keep the Sub-Committee of the Whole on International Protection and, where appropriate, the Sub-Committee on Administrative and Financial Matters informed;

(o) Looks forward to events commemorating the twenty-fifth anniversary of the adoption by the Organization of African Unity of the OAU Convention governing the specific aspects of refugee problems in Africa as well as the tenth anniversary of the Cartagena Declaration on Refugees and encourages UNHCR to participate actively in their commemoration;

(p) Recognizes the close link between protection, assistance and solutions and supports the High Commissioner's efforts to pursue wherever possible opportunities to promote conditions conducive to the preferred solution of voluntary repatriation, noting with appreciation the Office's development of operational guidelines to further these efforts;

(q) Reaffirms the role of resettlement as an instrument of protection as well as its continuing value as a durable solution in specific circumstances, and suggests that States together with the High Commissioner explore possibilities for the more effective and flexible use of this measure, particularly to meet refugee protection needs;

(r) Encourages the High Commissioner, on the basis of her broad humanitarian experience and expertise, and the particular competence of UNHCR staff in the field, to continue to explore and to undertake protection and assistance activities aimed at preventing conditions that give rise to refugee outflows, bearing in mind fundamental protection principles, in close coordination with the Governments concerned and within an inter-agency, intergovernmental and non-governmental framework, as appropriate, and requests the High Commissioner to keep the Sub-Committee of the Whole on International Protection and the Sub-Committee on Administrative and Financial Matters informed of developments;

(s) Recalls paragraph 14 of General Assembly resolution 47/105 and, in this connection, reaffirms its support for the High Commissioner's activities, on the basis of requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the concerned State, in providing humanitarian assistance and protection to internally displaced persons in specific situations which call for the Office's particular expertise, and notes the establishment by the High Commissioner of criteria for responding to requests to her Office for involvement in such activities, with due regard to the complementary mandates and specific expertise of other relevant organizations as well as the availability of sufficient resources;

(t) Requests the High Commissioner, in pursuance of the need for the international community to explore methods and means to address better within the United Nations system the protection and assistance needs of internally displaced persons, to promote further consultations on this priority issue with the Department of Humanitarian Affairs (DHA) and the Special Representative of the Secretary-General on Internally Displaced Persons, and with other appropriate international organizations and bodies, including the International Committee of the Red Cross, and to report on the results of these discussions to the Sub-Committee of the Whole on International Protection and, as appropriate, the Sub-Committee on Administrative and Financial Matters;

(u) Reiterates that UNHCR's activities in the field of prevention must be complementary to its international protection responsibilities and consistent with the principles of international human rights and humanitarian law and that the institution of asylum must not in any way be undermined;

(v) Calls upon the High Commissioner to pursue her efforts to ensure the protection of refugee women and girls and reaffirms in this regard its Conclusion No. 64(XLII) on Refugee Women and International Protection and paragraphs (i) to (k) of Conclusion No. 68(XLIII);

(w) Notes with concern the especially vulnerable situation of refugee children and therefore welcomes the High Commissioner's Policy on Refugee Children (EC/SCP/82) and stresses the importance of the Convention on the Rights of the Child as a normative framework for action to protect and care for children of her concern;

(x) Calls upon the High Commissioner to make every effort to ensure that the needs of refugee children, particularly unaccompanied minors, are fully met in UNHCR's overall protection and assistance activities, through inter alia appropriate management support, training and monitoring, and encourages UNHCR to continue its cooperation with Governments, non-governmental organizations and intergovernmental organizations, including in particular the United Nations Children's Fund (UNICEF) and the Committee on the Rights of the Child, in the implementation of the Policy on Refugee Children and the UNHCR Guidelines on Refugee Children;

(y) Requests the High Commissioner, given the diversity and persistent character of certain obstacles hampering the protection of refugee women and refugee children, in consultation with the Chairman of the Executive Committee, to convene an informal working group of the Committee to examine these obstacles, as well as review options and propose concrete measures to overcome them;

(z) Expresses concern about the lack of adequate international protection for various groups of refugees in different parts of the world, including a large number of Palestinians, and, while noting recent positive developments, calls upon the international community to continue its endeavours to address satisfactorily their protection needs;

(aa) Notes with satisfaction UNHCR's activities with regard to the promotion and dissemination of refugee law and protection principles and calls upon the High Commissioner to continue to expand and strengthen the Office's promotion and training activities with the active support of States and through increased cooperation with bodies and organizations concerned with human rights and international humanitarian law, including the International Institute of Humanitarian Law (San Remo), academic institutions and others involved in the programmes of the Decade of International Law;

(bb) Calls upon States in cooperation with UNHCR and non-governmental organizations to pursue their efforts to foster greater public understanding

and acceptance of people of different backgrounds and cultures with a view to dispelling hostile attitudes and other forms of intolerance towards foreigners;

(cc) Reaffirms its support for the High Commissioner's contributions to concerned international bodies promoting a broader awareness of the close link between safeguarding human rights and preventing refugee problems, and calls upon the High Commissioner to continue her active participation in and cooperation with the Commission on Human Rights, the Centre for Human Rights and relevant bodies and organizations;

(dd) Recognizes that the underlying causes of population displacements are complex and interrelated and include poverty and economic disruption, political conflicts, ethnic and inter-commmunal tensions and environmental degradation, and that there is a need for the international community to address these causes in a concerted and comprehensive manner;

(ee) Welcomes the Vienna Declaration and Programme of Action of the World Conference on Human Rights, particularly as it reaffirms the right to seek and enjoy asylum, and the right to return to one's country; stresses the importance of the 1951 Convention and 1967 Protocol; expresses appreciation to UNHCR; recognizes the link between gross violations of human rights and displacement, as well as the need for a comprehensive approach by the international community for refugees and displaced persons including addressing root causes, strengthening emergency preparedness and response, providing effective protection, and achieving durable solutions; and notes also its recognition of the special needs of women and children in terms of protection and assistance, and its emphasis on the importance of solutions for internally displaced persons;

(ff) Notes the importance of availability of and access to objective and accurate information concerning the various causes of coerced displacement in order to facilitate informed decision-making at all stages of refugee situations and supports in this regard the High Commissioner's efforts to develop an appropriate information strategy and to maintain relevant information databases;

(gg) Recognizes the value in recent years of inter-sessional meetings of the Sub-Committee of the Whole on International Protection, and requests the High Commissioner to convene at least one inter-sessional meeting to pursue in-depth consideration of relevant protection issues and to report on progress in the deliberations of the Sub-Committee at its forty-fifth session.

2. Personal Security of Refugees

20. The Executive Committee,

Expressing its deep concern over reports on the alarming frequency of incidents in which refugees and asylum-seekers, including women and children, are subjected to violence and mistreatment including killing,

torture, military or armed attacks, rape, beatings, intimidation, forced recruitment and arbitrary or inhumane conditions of detention,

Reaffirming the responsibility of States to respect and ensure the fundamental human rights of refugees and asylum-seekers to life, liberty and security of person as well as to freedom from torture or other cruel, inhumane or degrading treatment or punishment,

Recalling previous conclusions dealing with the personal security of refugees, in particular, Conclusions No. 22(XXXII) on the Protection of Asylum-Seekers in Situations of Large-Scale Influx and No. 48(XXXVIII) on Military or Armed Attacks on Refugee Camps and Settlements,

Stressing the duty of refugees and asylum-seekers to conform to the laws and regulations of the country of asylum and abstain from any activity likely to detract from the exclusively civilian and humanitarian character of refugee camps and settlements,

Reaffirming the fundamental importance of the scrupulous observance of the principle of non-refoulement for the personal security of refugees,

(a) Deplores all violations of the right to personal security of refugees and asylum-seekers, in particular organized attacks or the incitement to violence directed against them;

(b) Urges States to take all measures necessary to prevent or remove threats to the personal security of refugees and asylum-seekers in border areas and elsewhere, including by affording UNHCR and, as appropriate, other organizations approved by the Governments concerned prompt and unhindered access to them, by situating refugee camps and settlements in secure locations, by ensuring the safety of vulnerable groups, by facilitating the issuance of personal documentation, and by involving the refugee community, both women and men, in the organization and administration of their camps and settlements;

(c) Calls upon States vigorously to investigate violations of the personal security of refugees and asylum-seekers, and where possible to institute criminal prosecution, and where applicable strict disciplinary measures, against all perpetrators of such violations;

(d) Calls upon States, in collaboration with UNHCR and, as appropriate, other organizations approved by the Governments concerned, to provide effective physical protection to asylum-seekers and refugees and to ensure safe access for humanitarian assistance and relief workers, where necessary through the recruitment and training of personnel specifically assigned the task of protecting refugees and securing supply routes for humanitarian assistance;

(e) Supports the High Commissioner's activities to monitor the personal security of refugees and asylum-seekers and to take appropriate action to prevent or redress violations thereof, including the expansion of training programmes aimed at enhancing the understanding of refugee

protection among law enforcement officials, other concerned Government personnel, and non-governmental organizations;

(f) Encourages the High Commissioner to develop, share with the Executive Committee and disseminate widely guidelines containing practical measures that States, UNHCR as well as other international and non-governmental organizations can take to further strengthen the physical protection of refugees and asylum-seekers.

3. Refugee Protection and Sexual Violence

21. The Executive Committee,

Noting with grave concern the widespread occurrence of sexual violence in violation of the fundamental right to personal security as recognized in international human rights and humanitarian law, which inflicts serious harm and injury to the victims, their families and communities, and which has been a cause of coerced displacement including refugee movements in some areas of the world,

Noting also distressing reports that refugees and asylum-seekers, including children, in many instances have been subjected to rape or other forms of sexual violence during their flight or following their arrival in countries where they sought asylum, including sexual extortion in connection with the granting of basic necessities, personal documentation or refugee status,

Recognizing the need for concrete action to detect, deter and redress instances of sexual violence to effectively protect asylum-seekers and refugees,

Recognizing further that the prevention of sexual violence can contribute to averting coerced displacement including refugee situations and to facilitating solutions,

Stressing the importance of international instruments relating to refugees, human rights and humanitarian law for the protection of asylum-seekers, refugees and returnees against sexual violence,

Bearing in mind the draft Declaration on the Elimination of Violence against Women adopted by the Commission on the Status of Women as well as other measures being taken by the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Commission on Human Rights, the Security Council and other bodies of the United Nations to prevent, investigate and, as appropriate, according to their mandates, punish sexual violence,

Reaffirming its Conclusions No. 39(XXXVI), No. 54(XXXIX), No.60(XL) and No.64(XLI) concerning refugee women,

(a) Strongly condemns persecution through sexual violence, which not only constitutes a gross violation of human rights, as well as, when

committed in the context of armed conflict, a grave breach of humanitarian law, but is also a particularly serious offense to human dignity;

(b) Urges States to respect and ensure the fundamental right of all individuals within their territory to personal security, inter alia by enforcing relevant national laws in compliance with international legal standards and by adopting concrete measures to prevent and combat sexual violence, including:

(i) the development and implementation of training programmes aimed at promoting respect by law enforcement officers and members of military forces of the right of every individual, at all times and under all circumstances, to security of person, including protection from sexual violence,

(ii) implementation of effective, non-discriminatory legal remedies including the facilitation of the filing and investigation of complaints against sexual abuse, the prosecution of offenders, and timely and proportional disciplinary action in cases of abuse of power resulting in sexual violence,

(iii) arrangements facilitating prompt and unhindered access to all asylum-seekers, refugees and returnees for UNHCR and, as appropriate, other organizations approved by the Governments concerned, and

(iv) activities aimed at promoting the rights of refugee women, including through the dissemination of the Guidelines on the Protection of Refugee Women and their implementation, in close cooperation with refugee women, in all sectors of refugee programmes;

(c) Calls upon States and UNHCR to ensure the equal access of women and men to refugee status determination procedures and to all forms of personal documentation relevant to refugees' freedom of movement, welfare and civil status, and to encourage the participation of refugee women as well as men in decisions relating to their voluntary repatriation or other durable solutions;

(d) Supports the recognition as refugees of persons whose claim to refugee status is based upon a well-founded fear of persecution, through sexual violence, for reasons of race, religion, nationality, membership of a particular social group or political opinion;

(e) Recommends the development by States of appropriate guidelines on women asylum-seekers, in recognition of the fact that women refugees often experience persecution differently from refugee men;

(f) Recommends that refugee victims of sexual violence and their families be provided with adequate medical and psycho-social care, including

culturally appropriate counselling facilities, and generally be considered as persons of special concern to States and to UNHCR with respect to assistance and the search for durable solutions;

(g) Recommends that in procedures for the determination of refugee status, asylum-seekers who may have suffered sexual violence be treated with particular sensitivity;

(h) Reiterates the importance of ensuring the presence of female field staff in refugee programmes, including emergency operations, and the direct access of refugee women to them;

(i) Supports the High Commissioner's efforts, in coordination with other intergovernmental and non-governmental organizations competent in this area, to develop and organize training courses for authorities, including camp officials, eligibility officers, and others dealing with refugees on practical protection measures for preventing and responding to sexual violence;

(j) Recommends the establishment by States of training programmes designed to ensure that those involved in the refugee status determination process are adequately sensitized to issues of gender and culture;

(k) Encourages the High Commissioner to pursue actively her efforts, in cooperation with bodies and organizations dealing with human rights, to increase awareness of the rights of refugees and the specific needs and abilities of refugee women and girls and to promote the full and effective implementation of the Guidelines on the Protection of Refugee Women;

(l) Calls upon the High Commissioner to include the issue of sexual violence in future progress reports on the implementation of the Guidelines on the Protection of Refugee Women;

(m) Requests the High Commissioner to issue as an Executive Committee document and disseminate widely the Note on Certain Aspects of Sexual Violence against Refugee Women.

B. Decision on the In-depth Evaluation of the Programme on International Protection of and Assistance to Refugees: Office of the United Nations High Commissioner for Refugees

22. The Executive Committee,

Having noted the Report of the Secretary-General entitled In-depth evaluation of the programme on international protection of and assistance to refugees: Office of the United Nations High Commissioner for Refugees (E/AC.51/1993/2) and the report of the Committee for Programme and Coordination thereon (A/48/16 (Part I)),

(a) Welcomes the opportunity to review more closely the recommendations of the in-depth evaluation;

(b) Requests the High Commissioner to keep the Sub-Committee of the Whole on International Protection informed of the progress and constraints in the implementation of the protection-related recommendations;

(c) Asks that UNHCR consider in a systematic fashion and present to the Sub-Committee on Administrative and Financial Matters, before the next regular session of the Executive Committee, the recommendations of the In-depth Evaluation of UNHCR's Programme on International Protection of and Assistance to Refugees (E/AC.51/1993/2) as well as the recommendations and conclusions of the Committee on Programme and Coordination (CPC) on the evaluation study with particular attention to issues related to the definition of a proper accountability framework for UNHCR, strategic planning and result-based management.

C. Conclusion on the Implementation of the Policy on Refugee Women

23. The Executive Committee,

Having considered UNHCR's Policy on Refugee Women: An Evaluation Summary (EC/1993/SC.2/CRP.27),

Reaffirming previous conclusions dealing with the protection and assistance of refugee women, in particular, the conclusions on refugee women adopted by the Executive Committee at its forty-third session (A/AC.96/804, para. 30) and forty-second session (A/AC.96/783, para. 24),

Recalling Making the Linkages: Protection and Assistance Policy to Benefit Refugee Women (EC/1993/SC.2/CRP.16),

Also recalling the Note on Certain Aspects of Sexual Violence Against Refugee Women (EC/1993/SCP/CRP.2),

Noting that the Fourth World Conference on Women will take place in September 1995,

Underlining the important role of non-governmental and government partners in the successful implementation of UNHCR's Policy on Refugee Women,

(a) Commends the High Commissioner on the implementation of various initiatives in support of refugee women;

(b) Notes with concern, however, that barriers still remain to the full implementation of the Policy on Refugee Women;

(c) Calls on the High Commissioner to continue to assure active management support for a concerted effort in the implementation of the Policy on Refugee Women as well as to reinforce the role of the Senior Coordinator for Refugee Women in this process;

(d) Calls on the High Commissioner to reinforce the capacity of existing programming staff at the Headquarters, local and regional levels to support the work of the Senior Coordinator for Refugee Women;

(e) Urges the High Commissioner to provide more active field monitoring of the implementation of the Policy on Refugee Women and to consider strengthening of focal points at the local and regional levels;

(f) Urges the High Commissioner to continue to expand training activities related to improved programming for refugee women;

(g) Requests the High Commissioner to utilize UNHCR's public information activities in order to encourage greater support of UNHCR's policy and programmes for refugee women among other United Nations agencies, non-governmental organizations and the general public;

(h) Requests the High Commissioner to provide to the forty-fifth session of the Executive Committee a report on the implementation of the recommendations of the evaluation.

D. Conclusion on Repatriation to Afghanistan

24. The Executive Committee,

Reaffirming the importance and significance of voluntary repatriation as the most preferred durable solution to the refugee problem,

Noting Executive Committee Conclusions 18(XXXI) and 40(XXXVI), which underline the importance of promoting and facilitating voluntary repatriation,

Emphasizing that voluntary repatriation is a long-term multi-dimensional and complex process, especially when it has been delayed for a long time,

Recalling, once again, that Afghan refugees constitute the sole largest refugee caseload in the world,

Expressing concern over the continuing suffering of the Afghan people and the magnitude of the social and economic problems posed to Pakistan and the Islamic Republic of Iran by the presence on their soil of millions of Afghan refugees,

Fully aware of the fact that repatriation is feasible and conducive to a lasting solution only when the necessary integration facilities for the returnees are provided in the country of origin, especially in the case of Afghanistan where the long-lasting war has led to the total destruction of infrastructures;

Encouraged by the progress achieved in the voluntary repatriation from Pakistan and the Islamic Republic of Iran of almost 2.5 million Afghan refugees;

Concerned that lack of reintegration possibilities within Afghanistan including, inter alia, the landmines which have posed danger to the lives of returnees and decreasing international assistance has hampered the viability of this operation and well-being of the remaining Afghan refugees;

(a) Urges the international community and particularly Member States of the Executive Committee of the High Commissioner's Programme, as well as non-governmental organizations (NGOs) to contribute generously to humanitarian programmes in Afghanistan and the ongoing repatriation operation from Pakistan and the Islamic Republic of Iran.

E. Conclusion on the International Conference on Central American Refugees

25. The Executive Committee,

Taking into account the valuable contribution made by the International Conference on Central American Refugees (CIREFCA) to the peace process initiated by the Central American Presidents through the adoption of the Procedure for the Establishment of a Firm and Lasting Peace in Central America (Esquipulas II),

Recognizing with satisfaction the efforts effected by the Central American countries, Belize and Mexico in fulfilment of the principles and objectives of the CIREFCA Concerted Plan of Action, to accomplish, through consensus-building activities amongst all parties, feasible, durable and dignified solutions to the problem of uprootedness in the Central American region, as an integral part of the efforts undertaken for the achievement of a firm and lasting peace,

Bearing in mind the crucial importance which the regional platform and the consensus-building mechanisms at regional, national and local level have had within the CIREFCA process,

Taking into account that the extension until May 1994 of the duration of the CIREFCA Concerted Plan of Action enables considerable progress in the consolidation of indispensable objective conditions to ensure the successful reintegration of returnees and internally displaced populations into their communities of origin or resettlement, as well as the integration of refugees in countries of asylum,

Recognizing that within the framework of CIREFCA important technical improvements have been achieved for assisting uprooted populations, among others, the systematic inclusion of the gender focus in programmes and implementation of initiatives of Quick Impact Projects (QIPs), with the aim of establishing the necessary linkage between emergency assistance and development,

Recognizing also that the CIREFCA process has benefited from a solid respect for mutually agreed principles, and taking note of the effort made in updating the document entitled, "Principles and Criteria for the

Protection and Assistance to Central American Refugees, Returnees and Displaced Persons in Latin America", submitted to CIREFCA in May 1989,

Highlighting the commitment of the CIREFCA member countries to promote actions to protect and safeguard the environment in the framework of the policies for attention to uprooted populations,

Recognizing as well the important contribution of the Development Programme for Refugees, Returnees and Displaced Persons in Central America (PRODERE), which introduced an innovative approach to alleviate the situation of uprooted populations in the region,

Taking into account the generous support provided by the international community for the financing and implementation of priority proposals presented by the affected countries within the framework of CIREFCA,

Convinced that peace, liberty, development, democracy and respect for human rights are essential to resolve the problem of uprooted populations in the region,

(a) Reaffirms its support for the efforts in favour of uprooted populations carried out in the final phase of the CIREFCA process by the Central American countries, Belize and Mexico, especially regarding the promotion of respect for fundamental principles in the field of protection and human rights;

(b) Also supports the Central American countries, Belize and Mexico in the efforts undertaken to guarantee adequate attention to uprooted populations during the post-CIREFCA period, and makes a special appeal to the international community and the United Nations System, in particular to the United Nations Development Programme (UNDP) and UNHCR to continue promoting the consolidation of consensus-building fora at regional, national and local level, as well as the full inclusion of the principles of protection and human rights relevant to uprooted populations into national legal regulations of the affected countries;

(c) Urges the international community to develop innovative approaches in order to ensure the transition from repatriation assistance to development cooperation with special emphasis on social programmes aimed at combatting extreme poverty;

(d) Encourages the international community as a whole to ensure its continued support for humanitarian programmes, as required, carried out in favour of uprooted populations beyond May 1994, especially in Guatemala;

(e) Calls upon the international community to ensure its support for CIREFCA projects which ensure protection of the environment in dealing with uprooted populations;

(f) Reiterates its support for the lead-agency role assumed by UNDP since July 1993, in joint UNHCR/UNDP activities in support of CIREFCA, to reinforce processes of reintegration and/or integration and to ensure the

full inclusion of CIREFCA target populations into activities aimed at sustainable human development;

(g) Appeals to the Governments of the affected countries to emphasize the participation of the beneficiaries, taking into consideration gender sensitivities, in current and future programmes for the benefit of uprooted populations, with the objective of reinforcing the community approach of development programmes and facilitating their rapid implementation;

(h) Reiterates its appeal to the Governments of the affected countries to ensure that CIREFCA target populations are duly incorporated into sectoral activities in line with their national development programmes;

(i) Conveys its appreciation for the active participation of UNHCR throughout the CIREFCA process and urges that the valuable lessons learned through such an integrated approach be applied, as appropriate, in other regions of the world;

(j) Also urges UNHCR to disseminate widely, in Latin America and elsewhere, as appropriate, the norms and principles of international protection implemented within the framework of CIREFCA, as well as the humanitarian practices deriving from the implementation of the CIREFCA Plan of Action in the field of international protection;

(k) Emphasizes the importance of ensuring, upon CIREFCA's conclusion in May 1994, specific incorporation of the needs of refugees, returnees and displaced populations into UNDP's post-CIREFCA strategy and, to this end, requests UNHCR and UNDP to jointly convene an informal technical meeting, before end 1993, and to invite countries of the CIREFCA Follow-up Committee and the international donor community;

(l) Recognizes the invaluable contribution of non-governmental organizations (NGOs) on behalf of uprooted populations throughout the CIREFCA process and urges the governments of the convening countries, UNDP and other relevant United Nations agencies to intensify their mutual cooperation in the post-CIREFCA period;

(m) Requests UNHCR, jointly with UNDP, to provide a final report to the international community on the CIREFCA process, including an analysis of achievements, obstacles and pending tasks.

F. Conclusion on the Comprehensive Plan of Action for Indo-Chinese Refugees

26. The Executive Committee,

Reaffirming its support for the fundamental principles underlying the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA),

Recognizing with satisfaction the progress made in 1993 in the implementation of the CPA, in particular the substantial drop in the number of clandestine departures which could be attributed to the expansion of the

mass information campaign, the regular departure programmes and the Orderly Departure Programme, the continued resettlement of Vietnamese refugees, the near completion of the refugee status determination in countries of first asylum by mid-1994, in particular the completion of the screening of Vietnamese asylum-seekers in Indonesia on 20 September 1993,

Noting with appreciation that, with international assistance and cooperation, continued voluntary repatriation in 1992 resulted in the return of 16,952 persons, in conditions of safety and dignity,

Taking note of the results of the Sixth Tripartite Thai-Lao-UNHCR Meeting in Savannakhet, Lao People's Democratic Republic, from 15 to 16 July 1993, on the repatriation of Lao refugees and asylum-seekers,

Further noting the Tripartite Talks between the Governments of Indonesia and the Socialist Republic of Viet Nam, and UNHCR, held in Hanoi between 1 and 2 October 1993, which resulted in the conclusion of the Memorandum of Understanding on Principles and Arrangements Relating to Returning Vietnamese Non-Refugees from Indonesia,

(a) Supports the continued voluntary repatriation programme to Viet Nam and the ongoing UNHCR monitoring and reintegration assistance programme in Viet Nam, reiterates the importance attached to the responsibility of States towards their own citizens and the return of persons determined not to be refugees to their country of origin in accordance with the CPA, and draws attention to those screened-out Vietnamese in the countries of first asylum and their early repatriation to Viet Nam;

(b) Urges all parties concerned to continue to reinforce efforts for the return and reintegration of Lao refugees and asylum-seekers from Thailand and neighbouring countries and calls upon the High Commissioner to coordinate with donor countries as well as international development agencies and NGOs to increase the capacity of the Lao People's Democratic Republic to absorb a higher number of returnees;

(c) Invites the resettlement countries to give full support to the finalization of the resettlement programme of the Indo-Chinese refugees;

(d) Welcomes the convening of a formal meeting of the Steering Committee of the CPA in early 1994, preceded by a preparatory meeting, to evaluate the progress achieved in the implementation of the CPA, as well as to review the outstanding issues to be addressed, in particular the solutions within a definite time frame for those who have been determined not to be refugees;

(e) Calls upon the international community to continue to contribute generously to the CPA, in particular for the safe and dignified return of Indo-Chinese asylum-seekers in first-asylum countries to their countries of origin, including the reintegration programmes in both Viet Nam and the Lao People's Democratic Republic, until all the CPA's objectives have been achieved.

G. Conclusion on the PARINAC (Partnership in Action) Process

27. The Executive Committee,

Recognizing the overwhelming demands faced by UNHCR and related agencies with the increasing refugee, returnee and displaced populations worldwide and the resulting need for UNHCR and other United Nations agencies, international organizations and relevant NGOs to undertake more activities aimed at addressing the situation including through the use of their resources and expertise for concerted action in facing these demands,

(a) Welcomes the High Commissioner's establishment of the PARINAC (Partnership in Action) Process with the International Council of Voluntary Agencies, as a means of strengthening and improving UNHCR/NGO collaboration and cooperation in this area;

(b) Welcomes also the process of consultations through the regional preparatory meetings as well as the global conference in Oslo in June 1994;

(c) Affirms the regional and global objectives for PARINAC to adopt guidelines for a common agenda for UNHCR/NGO concerted activities and enhanced operational results in the field, on activities ranging from prevention, emergency response and durable solutions, and to improve the infrastructure and capacity of local NGOs;

(d) Acknowledges the need for broad participation of relevant international and national NGOs in this process and, in particular, the facilitation of the participation of indigenous NGOs dealing with refugee matters;

(e) Invites Governments to lend financial support to this important initiative;

(f) Requests the High Commissioner to keep the Executive Committee appropriately informed of the follow-up of the PARINAC process.

H. Conclusion on the Former Yugoslavia

28. The Executive Committee,

Expressing grave concern over the continuing unprecedented scope and magnitude of the emergency in the former Yugoslavia, particularly in Bosnia and Herzegovina,

Underlining the lead-agency role within the United Nations played by UNHCR and its joint efforts with WFP, WHO, UNICEF, ICRC and NGOs in mobilizing and distributing life-saving emergency supplies,

(a) Urges all Governments and Parties concerned to ensure that the Comprehensive Response to the Humanitarian Crisis in the former Yugoslavia continues to be implemented fully, including all its constituent elements, and complemented by political efforts;

(b) Calls upon Governments and the international donor community to continue contributing generously to the United Nations Consolidated Inter-Agency Programme of Action.

I. Decisions on Programme, Administrative and Financial Matters

29. The Executive Committee,

Having reviewed the information contained in the document entitled UNHCR Activities Financed by Voluntary Funds: Report for 1992-1993 and Proposed Programmes and Budget for 1994 (document A/AC.96/808, Parts I-VI); the Overview of UNHCR Activities: Report for 1992-1993 (A/AC.96/813); the Update of UNHCR Programmes and Funding Projections for 1993 and 1994 (EC/1993/SC.2/CRP.19); and the note on UNHCR Evaluation Activities (A/AC.96/809),

Having taken note of the document entitled Voluntary Funds Administered by the United Nations High Commissioner for Refugees: Accounts for the Year 1992 (A/AC.96/811) and the Report of the Board of Auditors thereon (A/AC.96/812),

Welcoming the Report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) on UNHCR Activities Financed from Voluntary Funds: Report for 1992-1993 and Proposed Programmes and Budget for 1994 (A/AC.96/816),

Noting the documentation on the review of UNHCR's programming (EC/1993/SC.2/CRP.20), UNHCR's emergency response capacity (EC/1993/SC.2/CRP.21), refugees and the environment (EC/1993/SC.2/CRP.22), voluntary repatriation (EC/1993/SC.2/CRP.23), international procurement (EC/1993/SC.2/CRP.24), the categorization of posts (EC/1993/SC.2/CRP.25), human resources management (EC/1993/SC.2/CRP.26), the Office of the Inspector for Operational Activities (EC/1993/SC.2/CRP.28), and the new UNHCR Headquarters premises (EC/1993/SC.2/CRP.29), the evaluation of UNHCR as requested by the Committee for Programme and Coordination (CPC) (E/AC.51/1993/2 and A/48/16 (Part I)) and WFP/UNHCR cooperation (EC/1993/SC.2/CRP.31),

(a) Approves the country and area programmes and the overall allocations for the 1994 General Programmes amounting to $ 418,523,000 (including $ 25 million for the Emergency Fund and $ 20 million for the General Allocation for Voluntary Repatriation) as contained in document A/AC.96/808 (Parts I-VI), and as shown in column 8 of Summary Table 2 of document A/AC.96/813; and recognizes that given the current proposed estimates for Special Programme activities from 1994, overall estimated financial requirements will amount, subject to the availability of funds, to some $ 1.2 billion;

(b) Requests UNHCR to present to the next inter-sessional meeting of the Sub-Committee on Administrative and Financial Matters any revised

programme and contingency needs under the 1994 General Programmes and an assessment of funding prospects for the 1994 General Programmes;

(c) Authorizes the High Commissioner to effect such adjustments in projects, country or area programmes and overall allocations as may be required by changes affecting the refugee or returnee programmes for which they were planned, using the General Programmes Reserve where necessary, and to report such adjustments to the Executive Committee at its forty-fifth session;

(d) Approves the transfer in 1994 of up to $ 300,000 from the Programme Reserve to the Fund for International Staff Housing and Basic Amenities;

(e) Requests that UNHCR continue to keep the Executive Committee informed, through regular reports to the Sub-Committee on Administrative and Financial Matters, of developments in relation to Special Programmes;

(f) Asks UNHCR to take immediate steps to develop an audit strategy which will address the issues raised in the report of the Board of Auditors;

(g) Expresses its appreciation for the very strong donor support to UNHCR and, in view of the demands on the Office, calls on donors to continue their support so as to assure the timely and full funding of current activities as well as those programmed for 1994, especially priority activities grouped under General Programmes, it being understood that their implementation is subject to the availability of voluntary contributed funds;

(h) Renews its appeal for the early announcement of pledges, particularly at the Pledging Conference, so as to facilitate the planning and implementation of activities, and asks that pledges, if earmarked, be done so in the broadest possible way;

(i) Reiterates its call to those Governments which do not contribute to UNHCR or which could increase their contributions, and are in a position to do so, to provide financial support in a spirit of international burden-sharing;

(j) Welcomes the initiative taken by the High Commissioner to improve the Office's programme management and operational capacity, and asks that the Sub-Committee on Administrative and Financial Matters be informed at its inter-sessional meetings of progress on the implementation of the Working Group's recommendations, especially related training initiatives necessary to give effect to the recommendations;

(k) Expresses appreciation of the sustained efforts by UNHCR to enhance further its emergency response capacity and for the contribution by the various governmental and non-governmental bodies in assuring a range of stand-by capacities so as to enable the Office to respond expeditiously to emergencies;

(l) Notes with satisfaction the work being done by the Senior Coordinator for the Environment, especially the development of Guidelines for refugee-related environmental projects and related databases and asks that the Sub-Committee on Administrative and Financial Matters at a future inter-sessional meeting review these Guidelines and related issues, especially the financial implications of any refugee-related environmental projects;

(m) Welcomes the regular presentation of updates on voluntary repatriation movements and underlines the value of such reports;

(n) Requests that the Sub-Committee on Administrative and Financial Matters be kept informed of progress by UNHCR in improving its systems and procedures for international procurement, in particular its response to the observations of the Board of Auditors on this issue;

(o) Approves, in the light of the comments of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), the proposed changes in the method of categorizing posts and requests that, as of 1 January 1994, staffing and budgetary tables reflect these changes;

(p) Expresses appreciation for the initiative of the High Commissioner in proposing the establishment of an Inspector of Operational Activities, and in the light of the comments of the ACABQ, requests the High Commissioner to pursue vigorously improved oversight of operational activities through appropriate mechanisms and keep the Sub-Committee on Administrative and Financial Matters informed;

(q) Stresses the importance of the evaluation function and of integrating the results of evaluation activities into policy development and programme design, and requests that this importance be reflected in resource allocations made by the Office;

(r) Requests UNHCR to undertake evaluations in collaboration with donor countries and other organizations, especially in the case of complex emergencies;

(s) Notes the information provided on the new UNHCR Headquarters premises, and asks that the comments of the ACABQ be taken into account in negotiations with the host government;

(t) Notes with satisfaction the work being done by the World Food Programme and UNHCR in reviewing the Revised Working Arrangements for refugee food aid operations and asks that the Sub-Committee on Administrative and Financial Matters be briefed at a future inter-sessional meeting on the outcome of the negotiations;

(u) Requests UNHCR, in accordance with the conclusions on agenda item 2 (a) of the coordination segment of the Economic and Social Council (ECOSOC) (1993), to continue to cooperate fully, within the framework of the Inter-Agency Standing Committee, with the Department of Humanitarian Affairs, as well as UNICEF, UNDP, WFP and other funds, agencies and

programmes of the United Nations system, as well as the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, the International Organization for Migration and NGOs;

(v) Welcomes the Update on UNHCR's Human Resources Management strategy, especially progress in regard to the development of a UNHCR career management system, urges prompt implementation of the strategy and asks that the Sub-Committee on Administrative and Financial Matters be kept regularly informed of developments on this system and other human resource management issues, especially progress in relation to the status of women in the Office;

(w) Notes with concern the growing security threats to the staff of UNHCR in the discharge of their humanitarian work, and welcomes the initiatives already taken by the High Commissioner to address this issue, as well as the recent initiatives taken by the General Assembly and the Security Council to consider further steps to enhance the status and safety of United Nations personnel involved in its operations, and requests that similar arrangements should be considered for all related personnel, including contract staff and non-governmental organizations (NGO) staff who are engaged in these operations;

(x) Requests UNHCR to pursue its review of the hardships faced by staff in extremely difficult and security-risk duty stations, noting that, inter alia, the issue of compensation in such situations deserves review and that specific proposals need to be developed on an inter-agency basis;

(y) Asks that UNHCR revert to the Executive Committee on the question of documentation that is presented to it, bearing in mind the comments of the ACABQ on this subject.

J. Decision on Internally Displaced Persons

30. The Executive Committee,

Considering the provisions of the General Conclusion on International Protection adopted by the forty-fourth session of the Executive Committee regarding internally displaced persons, notably its paragraphs (s) and (ff),

(a) Requests the Sub-Committee on Administrative and Financial Matters to review the financial and programmatic implications of the cuttent UNHCR activities, including information, related to internally displaced persons.

K. Provisional Agenda of the forty-fifth session of the Executive Committee

31. The Committee adopted by consensus the following provisional agenda of the forty-fifth session of the Executive Committee:

1. Opening of the session
2. Election of Officers
3. Adoption of the agenda and other organizational matters
4. General debate
5. Programme, financial and administrative matters
6. Participation of Government observer delegations
7. Consideration of the provisional agenda of the forty-sixth session of the Executive Committee
8. Any other business
9. Adoption of the draft report of the forty-fifth session
10. Closing of the session

L. Government observer participation in 1993-1994

32. The Executive Committee reviewed and approved the applications of the following Government observer delegations for participation as observers at its sub-committees, as well as the informal meetings of the Executive Committee during 1993 and 1994:

Bangladesh, Benin, Bhutan, Bolivia, Bulgaria, Burundi, Cameroon, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Djibouti, Dominica, Egypt, El Salvador, Estonia, Ghana, Honduras, India, Ireland, Kenya, Kuwait, Liberia, Libyan Arab Jamahiriya, Mauritania, Mexico, Mozambique, Myanmar, Nepal, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Senegal, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Swaziland, Syrian Arab Republic, Uruguay, Viet Nam, Yemen, Zimbabwe

Opening Statement by the United Nations High Commissioner for Refugees at the forty-fourth session of the Executive Committee of the High Commissioner's Programme

(Monday, 4 October 1993)

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen,

I am pleased to welcome you to this forty-fourth session of the Executive Committee. It is good to see old friends and greet new ones. It is also encouraging to see an ever-growing number of NGOs attend our meetings.

Let me extend a special word of thanks to the outgoing Chairman, Ambassador Lanus of Argentina. During the past year, Ambassador Lanus has taken a strong interest in our activities. We still recall the lively and thought-provoking report on his trip to Southern Africa as Chairman. May I also congratulate the new Bureau of the Executive Committee. Your wisdom and guidance will be of tremendous value to my Office during the coming year.

I should like to begin by paying a special tribute to the many heroic staff working in the field, particularly those who during the past year risked or lost their lives while serving others. They have been the pioneers as we seek new frontiers in terrains of uncertainty and peril. Security is a matter of special concern to me, as our staff and other humanitarian workers become targets of deliberate attacks. I have strongly condemned these callous acts, and I am grateful to the Secretary-General for his repeated calls to the international community to prosecute and punish those responsible.

I have just returned from a visit to Iran, Pakistan and Afghanistan. It brought home to me once again the reality of UNHCR's action in today's world. I visited two of the most generous asylum countries, which together hosted more than six million Afghan refugees for over a decade. Indeed, Iran has the largest refugee population in the world today. Fortunately, this region is experiencing repatriation on an enormous scale. But the hope for a lasting solution depends greatly on the improvement of conditions inside Afghanistan. Moreover there are fears of new outflows, as instability and internal displacement mark some of the countries bordering the region. The trip highlighted many of the issues on which I wish to speak to you today: the challenge of solutions; prevention and presence; protection and asylum; and the need for resources.

I would like to raise these issues from the perspective of a humanitarian organization operating in a world which is still groping for a new order. The major challenges confronting the United Nations today -- the challenge, on the one hand, of maintaining peace and security and, on the other, of promoting economic and social development -- are both directly

relevant to the humanitarian work of my Office. Our close collaboration with the UN's political initiatives is essential in order to be able to solve refugee problems. Our close coordination with the UN's development activities is critical to ensure the viability of those solutions. Humanitarian assistance can make an important contribution to the peace-keeping and peace-making efforts of the UN. However, as the former Yugoslavia so clearly demonstrates, humanitarian endeavours cannot replace peace settlements nor become a substitute for political negotiations.

Solutions: Challenge of Repatriation

It is against this background that I turn to the issue of solutions to refugee problems. In Iran I saw long convoys of buses with Afghan refugees moving homewards to a country where security is fragile and economic prospects dim. Since the inception of the programme, some 2.5 million Afghan refugees have gone home, 1.9 million of them with the assistance of UNHCR. While the numbers are impressive, I cannot but be concerned about the reintegration possibilities. Lack of funds is severely inhibiting the continuation of UNHCR's repatriation activities, particularly in Iran, as well as the UN's humanitarian assistance operation inside Afghanistan.

Two years ago at this EXCOM, I predicted the beginning of a decade of voluntary repatriation. Since then more than three million refugees have returned home. In the course of the past year alone, refugees have returned to Tajikistan, Ethiopia, Somalia, Burundi, South Africa and Guatemala. Earlier this year, we successfully completed, under the most complex conditions, the return of more than 370,000 refugees to Cambodia. Preparations for return to Mozambique are now complete. The first organized movements from Zimbabwe have already taken place, to be followed later this month by those from Swaziland and Zambia. Meanwhile, more than 350,000 Mozambicans have returned spontaneously, mainly from Malawi. In this context, I am encouraged by the recent signing of an agreement with the Government of South Africa which will give UNHCR access to Mozambican refugees in that country.

During my visit to Bangladesh last May, I signed a Memorandum of Understanding with the Government on our role in the voluntary repatriation of Myanmar refugees. Following my private visit to Myanmar and a recent programming mission to the area, I am hopeful that a Memorandum of Understanding will be completed soon between the Myanmar Government and my Office, which will pave the way for the safe and voluntary return of the refugees in Bangladesh.

I am disappointed, however, that no solutions have so far materialized for the Bhutanese refugees in Nepal and would like to reiterate the offer of my Office to assist the Governments concerned in this respect. Nor has there been much progress on repatriation to Eritrea and other parts of the Horn of Africa. I call on the Governments to create the opportunities which would allow the refugees to exercise the right to return to their own country.

The desirability, feasibility and necessity of voluntary repatriation as a solution is evident. But so is its fragility, complexity and, at times, elusiveness. Often, refugees are returning to conditions of civil strife or instability, to situations where peace negotiations are still under way or not yet consolidated, to areas where infrastructure has been destroyed. Too many of our repatriation operations are under-funded. Too little investment is made in post-conflict rehabilitation and reconstruction efforts.

Political settlement and economic rehabilitation are closely linked. The international community must show greater willingness to support politically and financially what is not only the best solution to a refugee problem but also an investment in regional and global stability.

If repatriation and reintegration are well-planned, in coordination with other UN agencies, I believe they can lay the foundations for longer-term development. We should not pretend that UNHCR's "quick-impact projects" or QIPs are anything other than a modest, practical tool to assist reintegration by focusing on community needs. Yet, this bottom-up approach, as it were, may be a critical first step on the much-quoted continuum from relief to development. Having successfully moved from Central America to Cambodia, QIPs are now spreading to other operations throughout the world, from Afghanistan to Somalia, from Mozambique possibly to Myanmar.

As refugees go home, so must we. After 14 years, our office in Nicaragua has been phased down and will be closed at the end of the year, after the successful completion of 350 projects to promote the reintegration of returnees. Most of our people on the Cambodia operation have already been redeployed. Last Thursday we closed down our office in Suriname. Phasing out is a difficult but essential undertaking for an organization like ours.

Before I move away from the subject of solutions, let me say a word on resettlement. With repatriation opportunities increasing, there is a need to examine the role of resettlement as a solution, particularly to meet protection needs. I would like to invite interested Governments to further consultations with my Office on this subject.

Prevention: International Presence and Internal Displacement

Let me now turn to prevention. As structures break down, as central authority is challenged, as borders change, international presence in the country of origin is becoming an essential feature of our preventive strategy. Through international humanitarian presence, some measure of confidence, security and relief can be provided to victims of conflict or human rights violations who may otherwise feel compelled to cross borders or be unable to return home. In this sense, there is a close connection between presence, prevention and the pursuit of solutions.

While I was still in Iran, dramatic developments in neighbouring Azerbaijan brought to the forefront the protection and assistance of the internally displaced as an important means of preventing refugee flows. We

are extending protection and emergency assistance to some 210,000 persons in Azerbaijan who have been displaced by the recent fighting. The assistance from our office in Baku is being augmented with cross-border support from our operation in Iran. I decided on this parallel approach after receiving assurances from the Iranian government that the borders would remain open for those who wish to seek asylum. I have alerted the Secretary-General to the situation, seeking his support to mobilize the political will to resolve the problem before it explodes into an even greater crisis.

Although I am heartened by the endorsement of the General Assembly for UNHCR's activities on behalf of the internally displaced, I would like to make it clear that we are not seeking a global mandate for the internally displaced. However, UNHCR is prepared, at the request of the Secretary-General, to intervene on behalf of the internally displaced when our involvement could have a preventive impact on refugee problems. For example, we could provide protection or assistance to displaced people who might otherwise feel compelled to cross the border to become refugees. Another situation might be when the internally displaced are mixed with returning refugees in such a way that reintegration can only be achieved successfully if both groups are assisted. Thus, our involvement with the internally displaced is not an extension of our mandate but an essential ingredient of our strategy to protect refugees by focusing on prevention and solutions.

Obviously, our activities on behalf of the internally displaced must be premised on the necessary funds being available from the international community, and the consent of the country concerned.

Where internal displacement poses a humanitarian problem but there is no link to actual or potential refugee flow, UNHCR's role can only be a limited one, supporting the efforts of other organizations, at the request of the Secretary-General.

Let me, however, underline that UNHCR's contribution in the field of prevention is primarily catalytic and collaborative. As our efforts in Tajikistan and other parts of the former Soviet Union demonstrate, prevention can only work if it is part of a larger international effort to resolve the underlying causes of conflict and ensure respect for human rights. Indeed, I cannot adequately underscore the need for an integrated and comprehensive approach by the UN system in this part of the world, if we are to contain the proliferation of humanitarian crises.

Prevention, like solutions, is cost-effective in the long-term, but cost-intensive in the short-term, often requiring considerable investment, particularly in terms of staffing to ensure presence. I expect the international community to respond more speedily and generously to support these efforts.

Protection: Commitment to Asylum

Prevention must not be pursued as an alternative to asylum, but rather in addition to it. The possibility of asylum must continue to remain open for those who seek it. While I am encouraged by the developments to provide temporary protection in situations of large-scale movements, I am also concerned by the fact that major reversals can be observed in the commitment to asylum. The cardinal principle of non-refoulement is being flouted in some parts of the world, by those very States which support our international action most generously elsewhere.

As I said in my address to the International Conference for the Protection of War Victims, held here in Geneva recently, the human suffering of two World Wars led to the emergence of certain cardinal legal and moral values to protect the individual, including the right to seek and enjoy asylum. Those States that are tempted to curb this right should carefully consider the pervasive and unscrupulous nature of military conflict today. Let us all remember, particularly in the industrialized world, that wars and their appalling human consequences are not so remote in our histories. We had wanted, then, for the right of asylum to be more widely recognized, and more generously granted to those fleeing from countries that today contemplate restricting that very right. At a time when Europe is once again the scene of conflict and the source of large refugee outflows, the need for protecting refugees has never been greater. If there is legitimate concern over how to manage irregular migratory flows, other means must be found to address it. I call upon this Committee to continue to support our unique protection mandate.

Emergencies: Preparedness and Response

International protection must be accompanied by rapid and effective emergency response. During the past year, UNHCR's capacity to respond to emergencies has been tested with some success in Armenia, Azerbaijan, Afghanistan, Tajikistan, Ghana, Benin, Uganda and Liberia. We are right now assessing emergency needs and providing some relief material to those displaced recently in Georgia.

Our emergency operation in the former Yugoslavia has expanded enormously since we first began almost two years ago. We are today assisting some 2.7 million people who are displaced and besieged in Bosnia and Herzegovina, in addition to over 1.3 million Bosnian refugees in neighbouring Croatia, Serbia and Montenegro. Prolonged war into a second winter, the vicious and total disregard of humanitarian norms and the consequent security threats raise serious questions about how long a civilian operation -- by my Office and others -- can continue under these circumstances.

The spiral of emergencies has led us to further strengthen our preparedness and response capacity through standby arrangements. A total 123 Nordic staff were deployed to operations in 16 countries over the past two

years, following our arrangements with the Danish and Norwegian Refugee Councils. A similar arrangement is now in place with the United Nations Volunteers, and we are exploring comparable measures with other bodies. We are also strengthening our partnership agreement with WFP to ensure that, together, we are better equipped to respond to all food emergencies.

I am grateful to this Committee for increasing the Emergency Fund to US$ 25 million and the ceiling for any single emergency to US$ 8 million. At the same time, I am concerned that many of the so-called "silent" or "invisible" emergencies are not funded or only inadequately so. Let us treat all emergencies equally as a matter of life or death for the refugees. UNHCR's responsibility is global -- so should be our response.

Management: Programmes and Resources

Enhanced accountability and better delivery of programmes are both issues to which, as you know, I am deeply committed. In addition to our now well-established Emergency Preparedness and Response Teams, we have created a pool of emergency administrative staff to ensure that rapid response is coupled with improved accountability.

In the pursuit of better programme delivery, I established an internal Working Group on Programme Management and Operational Capacity. Its recommendations focus on greater delegation to the field and a modified UNHCR programming cycle to allow integrated planning and enhanced monitoring and reporting. We are now in the process of implementing the Working Group's recommendations.

My ultimate goal is to create an institutional culture where effective performance, efficiency and accountability are prized objectives. This is linked not only to improved programming but also better human resources management. In the course of this year, an ambitious plan of action has been developed to cover such aspects as recruitment, career planning, training and performance evaluation. Steps are being taken to strengthen the Division of Human Resources Management with the necessary technical expertise to carry out the plan.

I mentioned at the outset my deep preoccupation about the difficult and dangerous conditions to which many UNHCR staff are daily exposed. The Field Safety Coordination Unit, established in January this year, has undertaken a number of specific measures to improve staff security, in close coordination with UN Headquarters and other agencies. We have also made a modest beginning on stress-management, a small but nevertheless important recognition of a serious problem affecting those who are working under the most demanding conditions.

From human resources let me move to financial ones. Our General Programmes, which benefit some 13 million of the world's 19 million refugees and support most of our worldwide protection responsibilities, is seriously under-funded. Although our needs are going up, as reflected by the Executive Committee's decision to increase this year's target to US$ 413 million, the

contributions of a number of our most important donors will be well below the 1992 level. With our carry-over from last year, we will probably cover our 1993 General Programmes budget. But what really worries me is the funding of the 1994 General Programmes and a number of Special Programmes, particularly the repatriations to Mozambique, the Horn of Africa, and possibly Liberia. If programmes are cut back, I am afraid the first to suffer will be those services which benefit most the refugee women and children.

I would like to appeal strongly to as many Governments as possible to announce contributions at the Pledging Conference in New York on 10 November. A generous response then and in the remaining months of this year will make the early days of 1994 less gloomy.

Partnership: A Comprehensive Strategy

The gap is clearly growing between what we are asked to do and what we can do. As a turbulent world searches for a new equilibrium, there is no doubt that UNHCR will continue to face many demands in the next few years. I believe that our main focus will remain on Africa. But we may also have to respond to new and ongoing emergencies, increasingly in areas where we have never operated before, and where severe winters will require intensive measures to meet shelter and energy needs. At the same time, repatriation opportunities will continue to demand more resources.

To meet this challenge, we will have to look both internally and externally. Internally, to improve our own performance and accountability. Externally, to work with others to enhance our capacity, maximize our resources and enlarge the support for a coherent and comprehensive strategy on refugee problems.

I see a pentagonal, or five-point, partnership ahead.

Firstly, we must continue to work closely with the political arms of the UN and regional organizations to ensure that UNHCR's humanitarian response is paralleled by political initiatives to resolve refugee-producing conflicts. The dangerously recurrent nature of many refugee emergencies, particularly in Africa, only underlines the strong need for the international community to make concerted and energetic efforts to pursue political solutions.

With humanitarian action becoming an important component of many peace-keeping or peace-making operations, the challenge is to ensure that the independent, non-political and impartial nature of humanitarian action is preserved, perceived as such and respected by all. We must redouble our efforts to adhere strictly to the fundamental neutral and non-political principles that have governed our policies and programmes, that have given my Office the credibility without which we cannot hope to operate in any meaningful way.

Secondly, we should continue to develop our cooperation with the humanitarian organizations, within the UN system and outside, so as to maximize our comparative advantages. I look forward to continued close collaboration with the Department of Humanitarian Affairs in its efforts to mobilize the system's response to complex emergencies and address the continuum from relief to development.

Furthermore, as we operate increasingly in situations of conflict, we must deepen further our institutional contacts with the International Committee of the Red Cross to enhance our complementarity.

Equally, the linkages between migration and refugee flows call for strengthening of our partnership with International Organization for Migration. I place particular importance on our joint programmes of mass information, which help people to be informed about the opportunities and consequences of their movement before they decide to leave their homes.

Thirdly, the non-governmental organizations are our quickest partners in emergency response, our strongest advocates on international protection. Their community-based approach is an asset in bridging the gap between relief and development. Their ability to mobilize public support and donor assistance is critical at a time of heightened demands. The decision to award the Nansen medal this year to Médecins sans Frontières is a recognition of the NGO contribution to the refugee cause. UNHCR has initiated a process of consultation with NGOs, called PARINAC (Partnership in Action), which is intended to lay the basis for enhanced and improved future NGO/UNHCR collaboration. Six preparatory regional meetings will culminate in a global conference at Oslo in June next year.

Fourthly, we must further deepen our collaboration with UNDP, UNICEF and other development organizations. We are exploring partnership arrangements with the World Bank and regional banks, which have an important role in addressing the economic and social causes underlying coerced movements as well as in post-conflict reconstruction to consolidate peace settlements.

Finally, last but not the least, I count on the continued cooperation and support of Governments, whether countries of origin, asylum or donors. I am deeply grateful for the contribution of countries of asylum which cannot be quantified. I am grateful also to our major donors who, despite all difficulties, have responded magnificently over the last couple of years. Nevertheless, I must appeal to them, once again, in the strongest terms, to do everything possible to maintain, as a minimum, their level of contribution to UNHCR.

Mr. Chairman, during the last three years, I have visited 46 countries. During the same period, the number of refugees has increased from 15 to 19 million. Some five million refugees have returned home. We have seen our budget soar from US$ 544 million to almost US$ 1.3 billion, our staff rise from 2400 to almost 4000 persons. Dramatic developments have been matched by explosive growth.

Looking back over the past three years, and looking ahead, I am more than ever convinced that our mission is as unique as it is gratifying. I am deeply appreciative of our privileged partnership with members and observer States of this Executive Committee, the UN system, international and non-governmental organizations. Together, we must continue our pursuit of protection and solutions for the world's refugees. Our strategy must be based on partnership, our approach on solidarity. Our goal must be human security for all. I commit my Office to this course.

Thank you, ladies and gentlemen. Thank you, Mr. Chairman.